

L A W S

OF THE

S T A T E

OF

N E W - Y O R K,

Passed at the First Meeting of the Eighth Session of the
Legislature of said State.

Beginning the Fourth Day of October, One Thousand Seven Hundred and Eighty-Four, and
Ending the Twenty-ninth Day of November following.

N E W - Y O R K:

Printed by ELIZABETH HOLT, Printer to the State.

M,DCC,LXXXIV.

48

12

6

423.



A. D. 1784.
Unit. and Indep. IX.

L A W S

OF THE

S T A T E OF N E W - Y O R K

Passed at the first Meeting of the EIGHTH SESSION, 1784.

C H A P. I.

An ACT further to continue the Treasurer of this State, in Office. Passed the 11th of November, 1784.

WHEREAS by the Act further continuing Gerard Bancker, Esquire, Treasurer of this State, the Time of his Continuance in Office was limited to sixty Days after the rising of the Legislature at their next Meeting, after the first Monday in July, which would be in the Year of our Lord, One Thousand Seven Hundred and Eighty-Four.

Preamble.

I. *Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same,* That the said Gerard Bancker, shall be, and he is hereby further continued in Office, as Treasurer of this State, until sixty Days after the rising of the Legislature at their next Meeting after the first Monday in July, which will be in the Year of our Lord, One Thousand Seven Hundred and Eighty-Five.

Continuing the Treasurer in Office.

II. *And be it further enacted by the Authority aforesaid,* That the said Gerard Bancker, shall, on or before the first Day of December next, take such Oath as was directed and required by the third Clause of the Act, entitled, "An Act to appoint a Treasurer of this State," passed the first Day of April, in the Year of our Lord, One Thousand Seven Hundred and Seventy-Eight.

Treasurer to take his Oath of Office.

III. *And be it further enacted by the Authority aforesaid,* That the Speaker of the Assembly for the Time being, shall take a Bond from the above named Gerard Bancker, on or before the said first Day of December next, with not less than four sufficient Securities, to the People of this State, in the Sum of Twenty Thousand Pounds, lawful Money of this State, with a Condition that he the said Gerard Bancker, shall, and will during his Continuance in the said Office of Treasurer, well, faithfully, and honestly execute and perform the said Office; which Bond, when so taken, shall be lodged in the Secretary's Office of this State.

To give Securities for his faithful Performance.

Bond to be lodged in the Secretary's Office.

C H A P. II.

An Act to amend an Act, entitled, An Act to appoint Commissioners to complete the running of a Jurisdiction Line between this State and the State or Commonwealth of Massachusetts, passed the 17th Day of March, 1783. Passed the 11th of November, 1784.

WHEREAS by the Act, entitled, "An Act to appoint Commissioners to complete the running of a Jurisdiction Line, between this State, and the State or Commonwealth of Massachusetts," only three Persons, to wit, The Honorable Robert Yates and Philip Schuyler, Esquires, and Gerard Bancker, Esquire, are declared Commissioners on the Part of this State, who, or any two of whom, shall have full Power, and are thereby authorized to meet with Commissioners who are, or may be lawfully authorized and appointed by the said State or Commonwealth of Massachusetts, and in Conjunction with such Commissioners to be appointed on the Part and Behalf of the said State

Preamble, reciting a former Appointment of Commissioners to run the jurisdiction Line between this State and Massachusetts; and that

A. D. 1784.
Unit. and Indep. IX.

State or Commonwealth of Massachusetts, to run out, and mark the said Jurisdiction Line, according to the true Intent and Meaning of certain Articles made and entered into, on the eighteenth Day of May, in the Year One Thousand Seven Hundred and Seventy-Three, between Commissioners appointed by an Act of the Legislature of the late Colony of New-York, and Commissioners appointed by an Act of the Legislature of the late Colony of Massachusetts-Bay, which Agreement is particularly set forth in the Act of the Legislature of this State, herein in Part recited.

And whereas it may prove inconvenient or impracticable, for two of the Commissioners so named in the said recited Act, to attend to the Discharge of the Trust reposed in them by the said Act; whereby the final running and marking the said Jurisdiction Line, may be procrastinated, and a great Expence be unnecessarily incurred;

Simeon D'Witt, be
added to them.

Any two of whom may
act.

Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That Simeon D'Witt, Esquire, Surveyor-General of this State, shall be, and is hereby declared to be one of the Commissioners on the Part of this State, and who, together with the said Robert Yates, Philip Schuyler and Gerard Bancker, the Commissioners named in the said in Part recited Act, or any two or more of them the said Robert Yates, Philip Schuyler, Gerard Bancker and Simeon D'Witt, shall have full Power, and are hereby authorized to meet with Commissioners, who are, or may be lawfully authorized and appointed by the said State or Commonwealth of Massachusetts, and in Conjunction with such Commissioners to be appointed on the Part and Behalf of the said State or Commonwealth of Massachusetts, to run out, and mark the said Jurisdiction Line, according to the true Intent and Meaning of the said Articles of Agreement, as fully and effectually, to all Intents and Purposes, as if the said Simeon D'Witt had been expressly declared appointed and authorized, to be one of the said Commissioners on the Part of this State, in and by the said in Part recited Act.



C H A P. III.

An Act to pardon Teunis Cassey, alias Teunis Keire, of the Felony therein mentioned. Passed the 11th of November, 1784.

Preamble.

WHEREAS Teunis Cassey, alias Teunis Kiere, is confined in the Gaol of the City and County of New-York, for the Murder of Sarah Rhodes, in February last, whereof he was convicted by the Name of Teunis Cassey, and Sentence of Death passed against him for the same, at a Court of Oyer and Terminer and General Gaol Delivery, held in and for the City and County of New-York, in May last.

Preamble.

And whereas it appears to the Legislature, that the said Teunis Cassey, alias Teunis Keire, was at the Time of the Murder and Conviction aforesaid, disordered in his Mind; and he has been represented to the Legislature, as a proper Object of Mercy;

Teunis Cassey pardoned.

I. *Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same,* That the said Teunis Cassey, alias Teunis Keire, is hereby fully and absolutely pardoned and discharged of, and from the Felony and Judgment aforesaid, and of and from Execution for the same.

And whereas it has been suggested to the Legislature, that if the said Teunis Cassey, alias Teunis Kiere, should be suffered to go at large, he might prove dangerous to the Community;

To be confined at the
Option of the Mayor and
Aldermen.

II. *Be it further enacted by the Authority aforesaid,* That it shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of New-York, to confine the said Teunis Cassey, alias Teunis Kiere, in the Bridewell of the said City, or in such other Place as to them may seem convenient.



C H A P. IV.

An Act to appoint Agents or Commissioners for vindicating the Right and Jurisdiction of this State, against the Claims of the Commonwealth of the Massachusetts, pursuant to the Articles of Confederation, and Perpetual Union of the United States. Passed the 12th of November, 1784.

Preamble.

WHEREAS the United States of America, in Congress assembled, at the City of Annapolis, on the third Day of June last, did make and publish a certain Act, in the Words following, that is to say,

Act of Congress recited.

By the United States in Congress assembled, in the City of Annapolis, on the third Day of June, in the Year of Our Lord One Thousand Seven Hundred and Eighty-four, and in the eighth Year of the Independence of the United States of America.

To the legislative Authority of the State of New-York, it is hereby made known, that pursuant to the ninth of the Articles of Confederation and Perpetual Union, the Legislature of the Commonwealth of Massachusetts have presented a Petition to Congress, in the Words following :

To the UNITED STATES in Congress assembled.

The Petition of the Legislature of the Commonwealth of Massachusetts, sheweth, That whereas James the First, late King of Great-Britain, by his Letters Patent, bearing Date at Westminster the third Day of November, in the eighteenth year of his Reign, granted unto the Council, established at Plymouth, in the County of Devon, and Kingdom of Great-Britain, commonly called the Council for planting, ruling and ordering and governing of New-England, in America, all that Part of America, lying and being in Breadth from forty to forty-eight Degrees of northerly Latitude, and of Length of, and within all the Breadth aforesaid throughout the main Lands from Sea to Sea, to hold the same to themselves, their Successors and Assigns forever : *And whereas* the said Council, established at Plymouth, by their Deed, indented under their Seal, dated the nineteenth Day of March, in the third Year of the Reign of Charles the First, late King of Great-Britain, did bargain, sell, enfeoff, alien and confirm unto Sir Henry Roswell, and his Associates, and to their Heirs and Assigns, all that Part of New-England in America, which lieth and extendeth between a great River, called Merrimac, and a certain other River there called Charles River, being the Bottom of a Bay there called Massachusetts-Bay, and also all those Lands lying within three English Miles to the southward of the southernmost Part of the said Bay, and extending thence northward in Latitude to the northward of every Part of the said River Merrimac, and in the Breadth of Latitude aforesaid, extending throughout all the main Land in Longitude westwardly to the southern Ocean. And the said Legislature, in their Claim herein described, do aver that the Point or Place, situate three Miles south of the Bay, called Massachusetts-Bay, is a Point or Place, situate in forty-two Degrees of northern Latitude two Minutes north, and that the Place, Point or Boundary aforesaid, of three Miles to the northward of every Part of the River Merrimac, is a Place or Point, situate in forty-four Degrees northern Latitude fifteen Minutes north ; and that by the Grant aforesaid, the said Sir Henry Roswell, and his Associates, became seized of all the Lands before described and contained in the Grant aforesaid, of the said Council established at Plymouth ; and that the same Grant was confirmed to the said Henry Roswell, and his Associates, by the said King Charles, by his Letters Patent, dated in the fourth Year of his Reign, and that the said Sir Henry Roswell, and his Associates, were immediately upon the making the Grant aforesaid by the said Council, in the actual Seizin and Possession of all the Lands aforesaid, and for many Years held the same under the Name and Title of the Governor and Company of Massachusetts Bay, in New-England : And that such Proceedings and Possessions have been done and had respecting the Territory aforesaid, granted to the said Sir Henry Roswell, and his Associates, and such subsequent Grants have been made of the same, that all the said Territory is now the just and proper Right of the Commonwealth aforesaid, and all this, the said Legislature are ready to verify.

Petition of Massachusetts to Congress.

And whereas the State of New-York have set up a Claim to some Part of the Land before-mentioned, and it being highly necessary to have the same Claims brought to an immediate Decision, they do therefore, in Behalf of the said Commonwealth most solemnly request the United States of America, in Congress assembled, that Commissioners may be appointed for enquiring into, and determining upon the Claim aforesaid of the said Legislature, and that such other Proceedings respecting the Premises may be had, as are by the federal Government of the said United States in such Cases made and provided.—And that the first Monday in December next, is assigned for the Appearance of the said States of Massachusetts and New-York, by their lawful Agents, at the Place in which Congress shall then sit, to proceed in the Premises, as by the said Articles of Confederation and Perpetual Union is directed.

Time and Place for Congress to hear the Parties.

I. *Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same,* That James Duane, John Jay, Robert R. Livingston, Egbert Benson and Walter Livingston, Esquires, shall be, and they hereby are declared to be Agents for this State, in the Controversy between this State and the said Commonwealth of Massachusetts, in the said recited Act of the United States in Congress assembled, mentioned ; and the said James Duane, John Jay, Robert R. Livingston, Egbert Benson and Walter Livingston, Esquires, or any two or more of them, are hereby authorised and directed on the Day and Place for that Purpose in the said Act limited, and at such other Times and Places, as the Occasion shall require, in Behalf of this State, to appear before the said United States, in Congress assembled, in Order by the joint Consent of them the said Agents, or any two, or more of them, and the Agents, on the Part of the said Commonwealth of Massachusetts,

Commissioners appointed on the Part of New-York.

Any two of whom may act.

Their Duty.

chusetts, to appoint Commissioners or Judges to constitute a foederal Court for hearing and determining the Controversy aforesaid; and if it shall so happen, that the Agents for the said State of New-York and Commonwealth of the Massachusetts respectively, shall not agree by joint Consent in appointing Commissioners or Judges to constitute such Court, then it shall and may be lawful to and for the said Agents, on the Part of this State, or any two or more of them, and they, or any two or more of them, are hereby authorised and required to proceed in Behalf of this State to the Appointment of such Commissioners or Judges, in the Manner and Form directed and prescribed in and by the said Articles of Confederation and Perpetual Union; and also to appear before the said Commissioners or Judges, when lawfully constituted, and there to represent this State, and to manage, vindicate and defend the Rights and Jurisdiction thereof against the Claim of the said Commonwealth of Massachusetts, by all lawful Ways and Means, with full Power and Authority to employ such Counsel learned in the Law, and such Solicitors as they shall think necessary, to enable them more effectually to discharge the Trust reposed in them by this Act.

Secretary, &c. may send original Papers out of the State.

II. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful to and for the Secretary of the State of New-York, and the Clerk of the City and County of Albany, or their respective Deputies, and for the respective Clerks of the Senate and Assembly of this State, to produce, on the Hearing of the Controversy aforesaid, and for that Purpose to convey out of the State, all such original Papers remaining in their respective Offices, as by the Agents herein appointed to manage the Controversy aforesaid, on the Part of this State, or any two or more of them, shall be judged necessary for the better Manifestation of the Boundaries and Jurisdiction of this State. *Provided always,*

This Act not to annul a former Agreement, &c.

III. *And be it further enacted by the Authority aforesaid,* That this Act, or any Article, Clause, Matter or Thing herein contained, shall not extend, or be deemed, construed, adjudged, or taken to annul, alter, or in any Wise affect certain Articles of Agreement, made and concluded upon the eighteenth Day of May, in the Year of our Lord, One Thousand Seven Hundred and Seventy-three, between Commissioners appointed by an Act of the Legislature of the late Colony of New-York, and Commissioners appointed by an Act of the Legislature of the late Colony of Massachusetts-Bay; nor to annul, alter, or in any Wise affect a certain Instrument in Writing, bearing Date the eighteenth Day of May, in the Year last aforesaid, under the Hands and Seals of the then Governors of the said Colonies of New-York and Massachusetts-Bay respectively, signifying their Approbation of the said Agreement; nor any Act or Proceeding in Pursuance of the said Articles of Agreement, which have been done and performed since the Settlement of the said Jurisdiction Line, by Commissioners and Surveyors appointed, as well on the Part of this State while the Colony of New-York, as on the Part of the State or Commonwealth of Massachusetts, while the Colony of Massachusetts-Bay, respecting the running and marking in Part the Jurisdiction Line in the said Articles of Agreement described; nor any Act or Proceeding which is now doing and performing, or shall be done and performed by the Commissioners and Surveyors appointed on the Part of this State, and on the Part of the State or Commonwealth of Massachusetts, to complete the said Jurisdiction Line, according to the true Intent and Meaning of the said Articles of Agreement.

Part of an Act repealed.

IV. *And be it further enacted by the Authority aforesaid,* That a certain Act of the Legislature of this State, entitled, "An Act to empower the Congress of the United States of America, to determine all Controversies relative to certain Lands in the Counties of Cumberland, Gloucester, Charlottee and Albany, commonly called the New-Hampshire Grants," passed the 21st Day of October, 1779, so far as the same Act respects Claims or Boundaries in Controversy between this State, and the State or Commonwealth of Massachusetts-Bay, be, and the same hereby is repealed.



C H A P. V.

An Act for the Relief of Jane Blake, and the Creditors of her late Husband Jonathan Blake, deceased. Passed the 18th November, 1784.

Preamble.

WHEREAS it appears by the last Will and Testament of Jonathan Blake, deceased, That Jane Blake, sole Executrix of the said Will and Testament, is not by the said Will authorised to sell and dispose of any Part of the Estate of her late Husband, for the Payment of the Debts contracted by him; and it also appears to the Legislature, that the annual Income of the said Estate is altogether inadequate to the Payment of the said Debts;

I. *Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same,* That it shall and may be lawful

ful, to and for Jane Blake, sole Executrix of the last Will and Testament of Jonathan Blake, late of the City of New-York, deceased, to exhibit on Oath, to Daniel Dunscomb, Daniel Niven, and John Elliot, all of the said City, a true Inventory of all the real and personal Estate of the said Jonathan Blake, deceased, that hath come to her Knowledge; and also a true Inventory, to the best of her Knowledge and Belief, of the Debts due by the said Jonathan Blake, at the Time of his Decease, whether by Bond, Mortgage, or otherwise; and that it shall and may be lawful, to and for the said Jane Blake, Daniel Dunscomb, Daniel Niven, and John Elliot, or any three of them, to sell, dispose of and convey such Part or Parts of the said Estate, either real or personal, as in the Judgment of them, or of any three of them, shall be sufficient to discharge all Debts due, or Monies owing by and from the Estate of the said Jonathan Blake, deceased, and to give good and sufficient Releases and Conveyances in Fee-Simple for the same. And if the Monies that arise by such Sale or Sales, shall exceed the Monies due to the Creditors of the said Jonathan Blake, the Surplus after Payment of the Creditors shall by the said Jane Blake be disposed of, and applied as by the said Will and Testament the personal Estate of the said Jonathan Blake, deceased, is directed to be disposed of, and applied. And if the Monies that may arise by the Sale or Sales of the whole real and personal Estate of the said Jonathan Blake, deceased, should not be sufficient to discharge the Monies due to the Creditors, the said Jane Blake, Daniel Dunscomb, Daniel Niven and John Elliot, or any three of them, shall out of the Monies to arise by such Sale or Sales, pay the Debts due on Mortgage or Mortgages, as the Law directs, and divide the Residue among the remaining Creditors, in Proportion to their respective just Demands against the said Estate, preferring Debts due on Specialties to those due on simple Contracts.

Jane Blake to exhibit an Inventory of her Husband's Estate,

Also of his Debts.

Commissioners empowered to sell such Part of the Estate as may be necessary.

Surplus Monies how applied.

If the Estate be insufficient to discharge the Debts, how it shall be disposed of.

II. *And be it further enacted by the Authority aforesaid,* That the said Trustees shall, before they exercise any of the Powers to them hereby given, file in the Court of Chancery a Bond to the Register, or one of the Clerks of the Court, in such Penalty as the Chancellor shall think fit, with a Condition that they the said Trustees will well and faithfully discharge the Trust and Powers in them by this Act vested, and render a just and true Account of the said Estate, when thereunto lawfully required.

Commissioners to give Bond for the faithful Discharge of their Duty.

III. *And be it further enacted by the Authority aforesaid,* That the Trustees appointed by this Act shall have the same Power to cite any of the Creditors of the Estate of the said Jonathan Blake, deceased, within the Description of the fourth Clause of the Act, entitled, "An Act relative to Debts due to Persons within the Enemy's Lines," passed the 12th Day of July, 1782, before any Court of Law within this State, to have a Settlement of the Debt of the said Creditor or Creditors, and to make Payment agreeably to the Mode prescribed by the said Act, as fully and effectually as the said Jonathan Blake would have had in Case he was now living.

Commissioners empowered to cite certain Creditors, &c.



CHAPTER VI.

An Act for the Establishment of a Custom-House. Passed the 18th of November, 1784.

WHEREAS the Establishment of a Custom-House, and the Appointment of proper Officers for the regular collecting of the Impost, is necessary.

Preamble.

I. *Be it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same,* That it shall and may be lawful for the Governor or Person administering the Government of this State for the Time being, by and with the Advice and Consent of the Council of Appointment, from Time to Time to appoint one Collector for the Port of New-York; one Collector for the Port of Sagg-Harbour; one Surveyor and Searcher for the Port of New-York; one or more Guagers; one or more Weigh-Masters, and as many Land and Tide-Waiters within this State as to the said Council shall appear necessary.

How Officers to be appointed for the Ports of New-York and Sagg-Harbour.

II. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for either of the Collectors of the Customs, for the Time being, to grant Registers to such Owners or Proprietors of Vessels, being Subjects of any of the United States, or their Representatives, who shall apply for the same, provided that the Vessel for which such Register shall be required, be at the Time actually within the Jurisdiction of this State; *And provided also,* that previous to the issuing any such Register, the Person or Persons who as aforesaid shall apply for the same, shall subscribe his, or their Name or Names to the said Register, and take the following Oath (or if the People called Quakers, Affirmation) viz. "I do solemnly swear, (or if of the People called Quakers, affirm) that the being a of the Burthen of Tons, or thereabout, was built in in the Year of and that of of and

Collectors to grant Registers to Owners of Vessels, on certain Conditions.

and of is or are the Owner or Owners thereof; and that Fees 12s. for the same. no Foreigner directly or indirectly has any Part, Share or Interest therein." And the said Collector is hereby allowed to demand and receive for every such Register, the Sum of Twelve Shillings, and no more.

How Clearances to be granted. III. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for the said Collectors to grant Clearances, in such Form as they shall devise for that Purpose, for such Ships, or other Vessels, as shall from Time to Time sail from the Port of New-York, or of Sagg-Harbour, which Clearances shall be subscribed by the said Collectors respectively.

No Vessel of less than 20 Tons, compelled to enter, unless she has Goods subject to Duty, and not paid. IV. *And be it further enacted by the Authority aforesaid,* That nothing in this Act contained, shall be construed to compel any Master of any Vessel of less than the Burthen of twenty Tons, which shall arrive from, or be bound to any Port or Place in the United States, or of any Vessel which shall be bound from the said Port of New-York, or the Port of Sagg-Harbour, to any other Place in this State, or from any other Place in this State, to the said Port of New-York, to make Entry in the Manner herein after-mentioned, unless such Vessel arriving at the said Port of New-York, or Port of Sagg-Harbour, shall have any Goods, Wares or Merchandizes on Board, subject to the Payment of Duties, and for which the Duties have not been paid.

Collector's Fees for entering and clearing out Vessels. V. *And be it further enacted by the Authority aforesaid,* That the following and no higher Fees shall be demanded or received by the Collector, that is to say, for entering Inwards and clearing out any Vessel, the Property of any of the Citizens of the United States, of the Burthen of One Hundred and Fifty Tons, or upwards, the Sum of Three Pounds; for entering and clearing out any Vessel, the Property of any of the Citizens of the United States, under the Burthen of One Hundred and Fifty Tons, and above Seventy Tons, the Sum of One Pound Ten Shillings; and for entering and clearing any Vessel, the Property of any of the Citizens of the United States of less Burthen than Seventy Tons, Sixteen Shillings; for entering and clearing out any Vessel, other than the actual Property of Citizens of the United States, of the Burthen of One Hundred and Fifty Tons, or upwards, the Sum of Five Pounds, for entering and clearing out any Vessel, other than the actual Property of the Citizens of the United States, under the Burthen of One Hundred and Fifty Tons, the Sum of Three Pounds; for every Vessel belonging to Citizens of any of the United States, which shall arrive at the Port of New-York or Port of Sagg-Harbour, and shall only report their Vessel at the Custom-House, without entering or unlading any Part of the Cargo, the Sum of Two Pounds; and for every Vessel not belonging to Citizens of any of the United States, which shall so only report their Vessels at either of the Custom-Houses, without entering or unlading any Part of the Cargo, the Sum of Four Pounds; for every Permit, or Let Pass, the Sum of Two Shillings; for every Bond, the Sum of Three Shillings; and for every Certificate, the Sum of Two Shillings.

Collectors Oath. VI. *And be it further enacted by the Authority aforesaid,* That the Collectors to be appointed by Virtue of this Act before they enter upon the Execution of their respective Offices, shall take the following Oath (or if of the People called Quakers, Affirmation) before one of the Judges of the Supreme Court, or one of the Judges of the Inferior Court of Common Pleas, viz. "I appointed Collector for the Port of do solemnly swear, (or if of the People called Quakers, affirm) that I will faithfully execute the Office of Collector, and keep fair and regular Entries of all Goods, Wares and Merchandize, on which Duties are payable, and that I will once, in every three Months, render to the Auditor for this State, just and true Accounts of the same, and of all Monies that shall come to my Hands, or Specialties that I shall take as Collector. So help me God."

To give Bonds, and in what manner. VII. *And be it further enacted by the Authority aforesaid,* That the Collector for the Port of New-York, before he enters upon the Execution of his Office, shall give Bond with four or more sufficient Freeholders to the Treasurer of this State, in the Sum of Twenty Thousand Pounds, and the Collector for the Port of Sagg-Harbour, before he enters upon the Execution of his Office, shall give Bond, with two or more sufficient Freeholders to the Treasurer of this State, in the Sum of Two Thousand Pounds, with Condition that such Collectors respectively, shall well and faithfully execute and perform all and singular the Duties and Services required of them in and by this Act, according to the true Intent and Meaning thereof.

Surveyor and Searchers Oath. VIII. *And be it further enacted by the Authority aforesaid,* That the Surveyor and Searcher, before he enters upon the Execution of his Office, shall take the following Oath, (or if of the People called Quakers, Affirmation) before the Mayor, Recorder, or one of the Aldermen for the City and County of New-York, viz. "I appointed Surveyor and Searcher for the Port of New-York, do solemnly swear (or if of the People called Quakers, affirm) that I will well and faithfully execute the Office of Surveyor and Searcher. So help me God."

IX. *And be it further enacted by the Authority aforesaid,* That the Weigh-Masters and Guagers, before they enter upon the Execution of their respective Offices, shall take and subscribe the following Oath or Affirmation before the Mayor, Recorder, or any Justice of the Peace, that is to say, the Guagers shall take the following Oath or Affirmation, viz. "I appointed Guager for the Port of do solemnly swear (or if of the People called Quakers, affirm) that I will well and faithfully execute the Office of a Guager, and that I will make true and exact Returns to the Collector, of all Liquors subject to Duty that shall be by me gauged, or computed;" and the Weigh-Masters shall take the following Oath or Affirmation, viz. "I appointed Weigh-Master for the Port of do solemnly swear (or if of the People called Quakers, affirm) that I will well and faithfully execute the Office of Weigh-Master, and that I will make true and exact Returns to the Collector of all Goods subject to Duty, which shall be by me weighed. So help me God."

A. D. 1784.
Unit. and Indep. IX.

Weigh-Masters and
Guagers Oath.

X. *And be it further enacted by the Authority aforesaid,* That the Land and Tide-Waiters to be appointed in Pursuance of this Act before they enter upon the Execution of their respective Offices, shall take and subscribe the following Oath or Affirmation, before the Mayor, Recorder, or one of the Aldermen in the City of New-York, or any one Justice of the Peace, viz. "I appointed Land and Tidewaiter, do solemnly swear (or if of the People called Quakers, affirm) that I will well and faithfully execute the Office of a Land and Tide-Waiter; and that I will regularly attend all Vessels having on Board Goods, Wares or Merchandize, subject to Duty, which I shall be directed by the Collector, or Surveyor and Searcher to attend; and that I will make true and exact Returns of all Goods, Wares or Merchandize subject to Duty on Board of each such Vessel, to the Collector. So help me God."

Land and Tide Wait-
ers Oath.

XI. *And be it further enacted by the Authority aforesaid,* That the Surveyor and Searcher to be appointed by Virtue of this Act, is hereby authorized and directed to go on Board of every Ship or Vessel coming into the Port; and the said Surveyor and Searcher shall direct one of the Land and Tide-Waiters to go, and continue on Board of every such Ship or Vessel having on Board Goods, Wares or Merchandize, subject to Duty, until such Ship or Vessel shall depart the Port, or is duly entered at the Custom-House, and for such longer Time as the Collector, or Surveyor and Searcher shall think necessary; and that the Surveyor and Searcher shall also report to the Collector from Time to Time, any Delinquency he may discover in any of the Land and Tide-Waiters.

Surveyor and Search-
er's Duty, &c.

XII. *And be it further enacted by the Authority aforesaid,* That either of the Guagers to be appointed in Pursuance of this Act, shall gauge all Liquors imported into this State from Time to Time, subject to Duty, in Casks, exceeding the Quantity of fifteen Gallons, and shall calculate the Quantities contained in the Casks of a less Quantity, and in Cases, in such Manner as he shall think best adapted to ascertain the same; and mark on each Cask and Case, with marking Irons, after so gauged or computed, the initial Letters of his Name, the Quantity it would contain if full, and the Wantage when gauged or computed, and that such Guager shall from Time to Time make Return to the Collector of the Quantities of Liquors he has gauged or computed, the Vessel out of which they were unladed, and the Name of the Master of each Ship or Vessel, and the Name or Names of the Owner or Owners of the Liquors so gauged.

Guagers Duty.

XIII. *And be it further enacted by the Authority aforesaid,* That in all Cases where the Weight of any Goods, Wares or Merchandize, shall not be ascertained at the Custom-House, upon the Oath of the Person or Persons who shall make Entry thereof, it shall be the Duty of the Weigh-Masters, or one of them, to attend, when thereunto required by the Collector, and weigh such Goods, and make a regular and specific Report thereof, together with the Name of the Vessel (and of the Master thereof) out of which they were landed.

Weigh-Masters Duty
when Weight of Goods
are not ascertained at the
Custom House.

XIV. *And be it further enacted by the Authority aforesaid,* That the Owner or Consignee of the Liquors gauged, or Merchandize weighed as aforesaid, shall pay the Expence of the gauging or weighing and marking the same, to such Guager or Weigh-Master, as the Case may be, at and after the Rates following, viz. For gauging and marking every Butt, Pipe, Hoghead or Cask, containing ninety Gallons or upwards, the Sum of Six-pence; for gauging or computing, and marking every Cask or Case of less Quantity, Four-pence; for weighing of every Hundred Weight of any Merchandize, the Sum of Three-pence: And that any Guager or Weigh-Master, who shall exact or take any greater Fees than those herein before-mentioned, shall for every Offence, upon Conviction, forfeit and pay the Sum of Ten Pounds, with Costs, to be recovered before any of the Justices of the Peace, by any Person who shall prosecute for the same, pursuant to the Act, entitled, "An Act to empower Justices of the Peace, Mayors, Records and Aldermen, to try Causes to the Value of Ten Pounds or under, and to repeal Sundry Acts therein mentioned," passed the 11th of April, 1782; and upon Conviction, be removed from Office by the Person administering the Government of this State, by and with the Advice and Consent of the Council of Appointment.

Certain Fees allowed
to Weigh-Masters and
Guagers;

And no greater.

XV.

Collector of N. York,
a Salary of 1500l. to be
paid by the Treasurer
quarterly.

Collector of S. Har-
bour, to have £.75 per
Annum.

Land and Tide-Wai-
ters 10s. per Day.

Clerks to take an Oath.

Form thereof.

Officers appointed by
this Act, to assist Collec-
tors in carrying it into
effect.

Goods, Wares and
Merchandize herein enu-
merated, subject to a
specific Duty.

XV. *And be it further enacted by the Authority aforesaid,* That the Treasurer of this State shall pay to the Collector for the Port of New-York, in quarterly Payments, at and after the Rate of Fifteen Hundred Pounds per Annum; to the Collector for the Port of Saggs-Harbour, at and after the Rate of Seventy-five Pounds per Annum; to the Surveyor and Searcher, at and after the Rate of Two Hundred and Fifty Pounds, per Annum; to the Land and Tide-Waiters, at and after the Rate of Ten Shillings per Day, for every Day they shall be in actual Service, to be certified by the Collectors respectively, or either of them, and the Accounts to be audited by the Auditor for the State, in full Compensation of all Services and Expences whatsoever, to commence from and after the passing of this Act, for the Term of one Year, out of any Money in the Treasury, unappropriated.

XVI. *And be it further enacted by the Authority aforesaid,* That the Clerks to be employed by the respective Collectors by Virtue of this Act, before they enter upon the Duties of their Office, shall respectively take and subscribe the following Oath, before the Mayor or Recorder, or any of the Aldermen or Justices of the Peace of any City or County in this State, viz, "I do solemnly swear (or if of the People called Quakers, affirm) that I will well, truly and impartially execute the Business of Clerk to the Collector of the Port of And that I will at all Times give the earliest Information to the Collector, of all Frauds, or of any Attempts made by any Person or Persons, to defraud the People of the State of New-York, of any Duty imposed by the Act, entitled, "An Act for imposing Duties on certain Goods, Wares and Merchandize, imported into this State, that shall come to my Knowledge; and that I will not take or receive any other, or greater Wages, Gratuity or Fees for my Services as Clerk, than what I shall take of the said Collector. So help me God;" a Copy of which Oath or Affirmation, so taken, shall be filed with the Collector of the Customs with whom such Clerk shall serve.

XVII. *And be it further enacted by the Authority aforesaid,* That it shall be the Duty of the several Officers appointed, or to be appointed by Virtue of this Act, to assist the Collector in carrying the same into Effect; to be watchful over all Vessels which shall come into the respective Ports, to which such Officers shall be assigned; and to give Information to the Collector, of all Frauds committed or intended to be committed against the true Intent and Meaning thereof, which shall come to their respective Knowledge, or which they shall have just Cause to suspect.



C H A P. VII.

An Act imposing Duties on certain Goods, Wares and Merchandize, imported into this State.
Passed the 18th November, 1784,

I. **B**E it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That from and after the passing of this Act, all such Goods, Wares and Merchandize, as are herein after-
enumerated and mentioned, which shall be imported or brought into the State by Land or Water, shall be subject to the Duties and Imposts herein after-
mentioned, that is to say, Every Gallon of Madeira Wine, Six-Pence; every Gallon of Wine, of any other Kind or Quality, Three-Pence; every Dozen of Bottles of Wine, of any Quality, One Shilling; every Gallon of Rum, Brandy or other distilled spiritous Liquors, imported in Ships or Vessels, owned by Citizens of this, or of any of the United States, Two-Pence; every Gallon of Rum, Brandy, or other distilled spiritous Liquors, imported into this State, in Vessels having British Registers, Four-Pence; every Pound of Bohea Tea, Three-Pence, and for all Teas of a superior Quality, Ten per Cent. ad Valorem; every Pound of Coffee, One Penny; every Pound of Loaf-Sugar, Three-Pence, and after the first Day of March next, Five-Pence; and the following enumerated Articles, imported from Europe, shall be subject to the Duties herein after-mentioned, viz. Every Pound of Snuff, One Shilling; every Coach, or Chariot, Twenty Pounds; every other four-wheeled Carriage, Ten Pounds; every Curricule, Chaise, Chair, Keteeren or Sulky, Five Pounds; every Bushel of Malt, Four-Pence; Every Gallon of Porter, Ale, Beer or Cyder, Six-Pence; every Dozen of Bottles of Porter, Ale, Beer or Cyder, One Shilling; every Pound of Cheese, Two-Pence; every Ounce of wrought Plate, One Shilling; every Ounce of wrought Gold, Four Shillings; every Clock, Twenty Shillings; every Gold Watch, Twenty-four Shillings; every other Watch, Eight Shillings; every Hundred Weight of hollow Iron-Ware, Four Shillings; every Dozen of Scythes, Scyths or Axes, Twelve Shillings; every Saddle, Eight Shillings; every Pair of Man's or Woman's Leather, or Stuff Shoes, Six-Pence; every Pair of Woman's Silk Shoes, One Shilling; every Pair of Boots, Two Shillings; every Pound of Starch, or Hair-Powder, Four-pence; every Gallon of Linseed Oil, Six-Pence;

Pence ; every Pound of dressed or tanned Leather, Four-Pence ; every Dozen of Packs of Playing Cards, Three Shillings ; white Rope, Twine, manufactured Copper, Tin, Brads, Pipes, Beef, Pork, Butter, Candles, Soap, Anchors, Bar Iron, Hats, Raisins, Prunes, Figs and Currants, five per Cent. ad valorem ; Cordage, either from Europe or any of the United States, or elsewhere, Four Shillings per Hundred Weight ; Chocolate, Two-Pence per Pound, and all other Goods, Wares and Merchandize, not herein before enumerated, of Foreign Growth or Manufacture, the Sum of Two Pounds Ten Shillings, for every Hundred Pounds Value, prime Cost, and after that Rate for a great or less Quantity, excepting Cocoa, raw Hides, Molasses, Coals, Bricks, Pantiles, unmanufactured Tin in Blocks, Mahogany, Logwood, Lignum Vitæ, Nicaragua Wood, Red Wood, Fustick, & all other dye Woods, Copper in Sheets, Whale and Fish Oil, Whale-Bone, Beaver, Peltry, Furs, Deer-Skins, Sheeps Wool, Cotton-Wool, Woad, Madder, Cochineal, Rocou, Salt, Bees-Wax, Elephants Teeth, and all other Goods, Wares and Merchandize, of the Growth, Product, or Manufacture of the United States of America, or any them.

Goods subject to Duty of five per Cent.

And others, 2l. 10s. for every 100.

Exceptions.

II. *And be it further enacted by the Authority aforesaid,* That the Master, Mate or Purser of any Ship or other Vessel which shall arrive at, or come to any Port, Creek or Harbour within this State, if such Ship or other Vessel, shall come to any Port, Creek or Harbour in this State, to the Southward or Eastward of the Port of New-York, (except Saggs-Harbour in the County of Suffolk) within seventy-two Hours after the Arrival of such Ship or other Vessel in such Port, Creek or Harbour, or if such Ship or other Vessel shall arrive at or come to the Port of New-York, or Port of Saggs-Harbour, within twenty-four Hours after such Arrival, shall report to the Collector of the Port his Arrival, and the Place where the Ship or Vessel was last from ; and that after such Report is made, the said Ship or Vessel may remain in Port ninety-six Hours without making Entry of her Cargo ; after which Time the said Master, Mate or Purser shall deliver to the Collector of the Port, an exact and true Manifest, under his Hand, of all and every such Packages, Bales, Chests, Casks, Trunks, Cases or Boxes, and of all such Goods, Wares and Merchandize, stowed in Bulk, in such Ship or other Vessel, and which such Ship or other Vessel had on Board at the Time she left the Port from which she last sailed, or at any Time since ; and which Manifest shall particularly specify the Mark or Marks, Number or Numbers of such Packages, Bales, Casks, Chests, Trunks, Cases or Boxes, and the Name or Names of the Person or Persons who is or are Proprietor or Proprietors, Consignee or Consignees of such Packages, Bales, Casks, Chests, Trunks, Cases or Boxes, and such Goods, Wares or Merchandize, stowed in Bulk, in such ship or other Vessel, as aforesaid ; and such Master, Mate or Purser, shall, upon exhibiting such Manifest to the Collector, take and subscribe the following Oath or Affirmation ; which Oath or Affirmation, the Collector is hereby empowered to administer : *That is to say,*

Vessels arriving in any Port of this State, when to be reported.

And true Manifests to be delivered,

Specifying the Marks of the Packages, &c.

To be sworn to be true.

" I of the called the do swear, (or if of the People called Quakers, affirm) that the Manifests now by me exhibited, and delivered to the Collector of the Port of is true, and that no more or other Packages, Bales, Casks, Chests, Trunks, Cases or Boxes, or Goods, Wares or Merchandize, other than those mentioned in the said Manifest, were on Board of the said Vessel, when she left the Port of or at any Time since ; and that the said Vessel last sailed from the said Port of So help me God."

III. *And be it further enacted by the Authority aforesaid,* That if any Master of any Ship or other Vessel arriving at or coming to any Port, Creek or Harbour, in this State, shall land, put on shore, or unlade within this State, any Goods, Wares or Merchandize, before such Manifest shall have been exhibited ; and such Oath taken as herein before-mentioned, and before he shall have paid the Duties, or given such Sureties as herein after-mentioned ; every such Master so offending, shall forfeit a Sum equal to double the Value of the Goods, Wares or Merchandize so landed, put on shore or unladed, to be recovered by the Collector in an Action of Debt, or other Action, in any Court of Record in this State, having Cognizance of the same ; and when recovered, to be paid into the Treasury, for the Use of the People of this State.

Masters of Vessels not giving such Manifest, forfeit double the Value.

IV. *And be it further enacted by the Authority aforesaid,* That the Master of any Ship or other Vessel, arriving at or coming into any Port, Creek or Harbour in this State, who shall neglect or refuse to deliver such Manifest, and to take such Oath or Affirmation as aforesaid, within the Time herein before for that Purpose limited, shall for every such Neglect or Refusal, forfeit the Sum of One Hundred Pounds, with Costs, to be recovered and applied, in the Manner herein before-mentioned.

For refusing such Manifest, &c. forfeit 100l.

V. *And be it further enacted by the Authority aforesaid,* That if any Merchant, Factor or other Person, shall land or put on shore, or remove from on Board of any Ship or Vessel, any Goods, Wares or Merchandize, before he or they shall have duly entered the same with the Collector, and paid or secured the Payment of the Duties thereof, accord-

Persons landing Goods before the Duties are paid, to forfeit them.

A. D. 1784.
Unit. and Indep. IX.

Land & Tide-Waiter's
Duty, when put on Board
a Vessel.

The Master, if con-
victed of Fraud, to for-
feit 500l.

Merchants or Persons
interested, to deliver the
original Invoice to the
Collector, and swear to
the Truth.

Form of the Oath.

Duties on any Invoice
not exceeding 20l. to be
paid immediately. If
more, to give a Bond for
the Payment thereof.

Collector to give a
Certificate, directed to
the Tide-Waiter to per-
mit the Goods to be
landed.

Where Bonds have
been for Payment of Du-
ties on Goods imported,
and exported again with-
in sixty Days, amount to
be deducted.

Form of an Oath, to
be taken by the Exporter
of said Goods.

ing to the true Intent and Meaning of this Act, all such Goods, Wares and Merchandize so landed, put on shore or removed, shall be deemed to be forfeited, and be subject to be seized, proceeded against, and disposed of by the respective Persons, and in the Manner herein after-mentioned.

VI. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for any Land and Tide-Waiters, put on Board of any Ship or Vessel by the Collector or Surveyor and Searcher, at Sun-set, to have Locks affixed, so as effectually to prevent the Goods, Wares or Merchandize, in such Ship or other Vessel, from being taken out, and in such Manner, that such Hatches or other Places cannot be opened without breaking or opening such Locks, and after such Locks are locked and affixed, the Land and Tide-Waiter shall retain the Key or Keys of such Locks, until the next Morning at Sun-rise; and if it shall appear that any of the said Hatches have been opened, or that any of the Locks shall have been broken, in the Absence of such Land and Tide-Waiter appointed, or put on Board as aforesaid; then and in every such Case, the opening of the said Hatches, or breaking any of the said Locks, shall be deemed sufficient Evidence of Fraud; and the Master of such Ship or other Vessel, upon Conviction, shall in every such Case, forfeit the Sum of Five Hundred Pounds, with Costs, to be recovered and applied in the Manner directed by the third Section of this Act.

VII. *And be it further enacted by the Authority aforesaid,* That after Entry is made in the Manner herein before mentioned, of any Ship or other Vessel, every Merchant, Factor or other Person, having Goods, Wares or Merchandize on Board of such Ship or other Vessel, shall make particular Entry with the Collector, by exhibiting to him the original Invoice of such Goods, Wares and Merchandize, and shall take the following Oath or Affirmation, which said Oath or Affirmation the said Collector is hereby authorized to administer; that is to say,

I do swear (or if of the People called Quakers, affirm) that the Paper by me exhibited to the Collector of the Port of contains to the best of my Knowledge and Belief, a true Invoice of all the Goods, Wares and Merchandize contained in the respective Packages, Bales, Casks, Chests, Trunks, Cases or Boxes, as the Case may be, marked and numbered as in the said Invoice is specified and described, and that the said Invoice also to the best of my Knowledge and Belief, contains a true Account of the Price at which the said Goods, Wares and Merchandize have been *bona fide*, purchased or charged; and that if any Goods, Wares or Merchandize, other than those mentioned in such Invoice exhibited to the said Collector, shall be contained in such Packages, Bales, Casks, Chests, Trunks, Cases or Boxes, as the Case may be, or if I shall at any Time hereafter receive any other Invoice than that now exhibited, of such Goods, Wares and Merchandize; I will forthwith after discovering such Goods, Wares and Merchandize, or receiving such Invoice, exhibit an Account of such Goods, Wares and Merchandize, or such Invoice to the said Collector. So help me God.

VIII. *And be it further enacted by the Authority aforesaid,* That the Merchant, Factor or other Person, having exhibited any such Invoice whereof the Duties of the Goods, Wares and Merchandize therein mentioned do not exceed Twenty Pounds, shall immediately pay the same to the Collector, and if the Duties shall exceed that Sum, the said Merchant, Factor or other Person shall give Bond with one sufficient Surety, being a Freeholder, for the Payment of the Duties on all Goods, Wares and Merchandize imported from any of the West-India Islands, subject by this Act to Duty, in three Months from the Date thereof, and for Payment of the Duties on all other Goods, Wares and Merchandize imported from any other Country or Place, in six Months from the Date thereof: That after such Payment shall be made, or Security given, the Collector shall give to the Person or Persons paying or securing the same as aforesaid, a Certificate thereof directed to any of the Land or Tide-Waiters, specifying the Packages, Bales, Casks, Chests, Trunks, Cases or Boxes, and the Goods, Wares and Merchandize stowed in Bulk for which the Duties have been paid or secured to be paid, and thereupon such Goods, Wares and Merchandize may be landed without any farther Let or Obstruction.

IX. *And be it further enacted by the Authority aforesaid,* That any Goods, Wares or Merchandize, brought into this State, for which Bonds have been given for the Payment of the Duties thereon, which shall be exported out of this State, by the Owner or Consignee, to any of the United States, in the Original Packages, within sixty Days after their Importation, the Amount of the Duty on such Goods, Wares and Merchandize, shall be deducted, upon the Owner or Consignee taking an Oath or Affirmation in the Words following, viz. "I

do solemnly swear (or if of the People called Quakers, affirm) that the Packages of Goods enumerated, marked and numbered, as per Account and Invoice herewith delivered, were Goods actually imported by me, or consigned to me (as the Case may be) in the Ship or Vessel, called the from for which I have given Bonds for the Payment of the Duty, and

and that the said Goods were exported to in the original Packages, in which they were imported; and that the said Packages have not been opened, nor any Part of the said Goods therein contained, exchanged or taken out, and that I exported the said Goods, Wares and Merchandize from this State, to the State of amount-
ing to prime Cost, and producing a Certificate from the proper Officer of any of the United States, that such Goods, Wares or Merchandize have actually been regularly entered at the Custom-House there; which Certificate shall express the Marks and Numbers of such Packages respectively.

A. D. 1784.
Unit. and Indep. IX.

X. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for the said Collector to receive the Monies due for the Duties aforesaid, on such Bonds respectively, and if the said Duties shall not be paid within the Term, in and by the said Bonds for that Purpose respectively limited, the said Collector shall, and he is hereby required forthwith after the Expiration of such Time, to commence and prosecute to Effect an Action or Actions in his own Name, for the Recovery of the Sums due on such Bonds respectively, with Costs.

Collector to prosecute for Monies due on Bond.

XI. *And be it further enacted by the Authority aforesaid,* That if the said Collector shall not forthwith, after the Monies shall become due on such Bonds respectively, commence an Action or Actions, for the Recovery of the Monies which shall become due thereon respectively, and prosecute the same to Effect, that then, and in every such Case, the said Collector shall be deemed to have received such Monies, and be accountable for the same, to the People of this State, as if the same had actually been received by him, and that the said Monies shall be sued for and recovered, in any Court of Record, having Cognizance of the same from the Collectors respectively, their respective Heirs, Executors or Administrators, in an Action or Actions of Debt, or in any other Action or Actions, by and in the Name of the Treasurer of this State, and it is hereby made his Duty to sue for, and recover such Monies for the Use of the People of this State.

Which neglecting to prosecute for, to be considered as received by him.

To be sued for by the Treasurer, to the use of the State.

XII. *And be it further enacted by the Authority aforesaid,* That the Collector shall enter in a Book, to be kept by him for that Purpose, the Amount in Value of the Goods, Wares and Merchandize in and by this Act subject to the Duty of Two Pounds Ten Shillings, for every Hundred Pounds, as aforesaid, the Quantity of the Goods, Wares and Merchandize in and by this Act particularly enumerated and described, and the Amount of the Duties due thereon respectively; and the Collector shall once in every three Months deliver such Accounts to the Auditor for the State, who shall examine the same, and certify the Amount to the Treasurer.

Collector to enter in a Book the Value of all Goods, &c. to be audited every three Months.

XIII. *And be it further enacted by the Authority aforesaid,* That in Cases where the Collector shall have Cause to suspect that the Invoice exhibited to him does not specify all the Goods, Wares and Merchandize contained in the Packages, Bales, Casks, Chests, Trunks, Cases or Boxes, or Goods, Wares and Merchandize stowed in Bulk, reported in the Invoice thereof, that the said Collector shall and may take the said Packages, Bales, Casks, Chests, Trunks, Cases or Boxes, or Goods, Wares and Merchandize stowed in Bulk, into his Custody, and open and examine the same, and if upon such Examination more or other Goods, Wares or Merchandize shall be found therein, with an apparent Intention of Fraud, than those specified in the Invoice which was to him exhibited, such Package, Bale, Cask, Chest, Trunk, Case or Box, with all the Goods, Wares or Merchandize therein contained, for such Goods, Wares or Merchandize, stowed in Bulk, shall be seized by the Collector, and forfeited to the People of this State, and shall after Condemnation be sold by the said Collector at Public Auction, for the Use of the People thereof.

If he suspects Fraud, to examine the Goods.

And if detected in such Fraud, to be forfeited to the State.

XIV. *And be it further enacted by the Authority aforesaid,* That if any Waterman, Boatman, Carter, Porter or any other Person or Persons whatsoever, after sun-setting, and before sun-rising, shall aid or assist in the taking up, landing, carting or carrying any Goods, Wares or Merchandize, for which the Duties in and by this Act imposed, have not been paid, or secured to be paid in the Manner aforesaid, every such Person so offending, shall forfeit and pay the Sum of Twenty Pounds, for every Offence, to be recovered with Costs, in any Court of Record in this State, having Cognizance of the same, the one Half of the said Penalty, to be paid into the Treasury of this State, and the other Half to any Person who shall prosecute for the same.

Persons assisting in landing Goods after Sun set, to forfeit 20l.

XV. *And be it further enacted by the Authority aforesaid,* That the respective Collectors shall, once in every three Months, pay to the Treasurer of this State, all Monies which shall arise or come to their respective Hands, as well for Duties as for Fees of Office in Pursuance of this Act, without any Deduction whatever.

Duties to be paid to the Treasurer every 3 Months.

XVI. *And be it further enacted by the Authority aforesaid,* That where Duties arise on any Goods, the Invoices whereof shall be made out in British Sterling, the Duties shall be paid at the Exchange of One Hundred and Seventy-five Pounds New-York Money, for every One Hundred Pounds of British Sterling.

At what Exchange the Duties to be paid.

XVII.

40 Gallons of Liquor,
for Sea-stores, exempted
from Duty.

XVII. *And be it further enacted by the Authority aforesaid,* That such Liquors as are for Sea-Stores for any Master or Commander of any Ship or other Vessel, and actually on Board, not exceeding the Quantity of forty Gallons, shall be, and are hereby declared exempt from Duty.

Actions commenced,
to be entered in the name
of the Attorney-Gen'l.
or Collector.

XVIII. *And be it further enacted by the Authority aforesaid,* That it shall not be lawful for any Informant whatsoever, to enter, or cause or procure to be entered or prosecuted, any Action or Information against any Person or Persons, for the Recovery of any Penalty or Penalties inflicted by this or any other Laws relative to the Customs or Duties mentioned in this Act, unless the same be entered and prosecuted in the Name of the Attorney General, or in the Name of the Collector of the Customs; and if any Action or Information shall be entered or prosecuted in any other Person's Name than as before-mentioned, the same, and all Proceedings thereupon, are hereby declared to be null and void.

On Suits for Seizure,
&c. in favour of the Clai-
mer, if there was proba-
ble Cause for Seizure,
Defendant not entitled
to Costs.

XIX. *And be it further enacted by the Authority aforesaid,* That in Case any Action or Information shall be commenced and brought to Trial, on Account of the Seizure of any Goods, Wares or Merchandize, wherein a Verdict shall be found for the Claimer thereof, and it shall appear to the Judge or Court before whom the said Action or Information shall be tried, that there was a probable Cause of Seizure, the Judge or Court before whom the said Action or Information shall be tried, shall certify on the Record, that there was a probable Cause for the Prosecutor's seizing the said Goods, Wares or Merchandize; and in such Case the Defendant shall not be entitled to any Costs whatsoever, nor shall the Informer, Seizer or Prosecutor be liable to any Action, Indictment or other Suit or Prosecution on Account of such Seizure; and that in Case any Action, Indictment or other Prosecution, shall be commenced and brought to Trial, against any Person or Persons whatsoever, on Account of the Seizure of any such Goods, Wares or Merchandize as aforesaid, wherein a Verdict shall be given against the Defendant or Defendants, if the Court, or Judge before whom such Action or Prosecution shall be tried, shall certify on the said Record, that there was a probable Cause for such Seizure, then the Plaintiff, besides his Goods, Wares or Merchandize so seized, or the Value thereof, shall not be entitled to above Two-pence Damages, nor to any Costs of Suit; nor shall the Defendant in such Action or Prosecution, be fined above One Shilling.

Nor shall the Plaintiff
have more than Two-
pence Damages, nor any
Costs.

When Goods are seiz-
ed, and a Dispute about
the Property, the Bur-
then of the Proof to lie
on the Claimer.

XX. *And be it further enacted by the Authority aforesaid,* That if any Goods, Wares or Merchandize shall be seized for Non-payment of Duties, or any other Cause of Forfeiture, and any Dispute shall arise, whether the Customs or Duties have been paid, or secured to be paid for the same, or the same have been lawfully imported or condemned, or concerning the Place from whence such Goods, Wares or Merchandize were brought, or concerning the Property thereof; then and in such Cases, the Proof thereof shall lie on the Owner or Claimer of such Goods, Wares or Merchandize, and not on the Officer who shall seize or stop such Goods.

When Goods are land-
ed contrary to this Law,
how the Collector is to
proceed to come at them.

XXI. *And be it further enacted by the Authority aforesaid,* That upon Information made by the Collector or any other Officer of the Customs, and upon Oath made by such Officer, that he hath probable Cause to suspect, and doth really suspect, that any Person or Persons have landed, removed or reshipped any Goods, Wares or Merchandize, or caused the same to be done, without due Entry thereof made, or without having paid or secured to be paid, the Duties thereon, contrary to the true Intent and Meaning of this Act, it shall and may be lawful for the Chancellor, the Judges of the Supreme Court, the Mayors, Recorders, or any of the Aldermen of the Cities of New-York or Albany, or the Justices of the Peace of any of the Counties in this State, or any or either of them, to whom such Information, on Oath, shall be given as aforesaid, to issue a Warrant under his Hand and Seal, directed to the Marshal of the Court of Admiralty, or to the Sheriff of the County where the Offence shall have been committed, or to the Sheriff of the County next adjoining thereto, and who are hereby respectively authorized and required to execute such Warrant, thereby commanding the said Marshal and Sheriff, or any of them, to enter into any House, Out-house, or other Building or Inclosure, in the Day-time, where such Goods, Wares or Merchandize are suspected to be deposited or concealed; and in Case of Resistance, or after Demand, and Refusal, to open such House, Out-house or other Building or Inclosure, or where such House, Out-house or other Building or Inclosure, shall be uninhabited, to break open such House, Out-house or other Building or Inclosure, and to seize and secure the said Goods, Wares and Merchandize so deposited or concealed; and all Officers and Ministers of Justice are hereby required to aid and assist therein.

Provido.

Provided always, That no House shall be entered by Virtue of this Act, unless it be within one Month after the Offence supposed to have been committed.

XXII. *And be it further enacted by the Authority aforesaid,* That the Marshal and Sheriff, and every of them; having received such Warrant as aforesaid, are hereby authorized and enabled to go and enter on Board of any Ship or Vessel, and from thence to bring on Shore, into the Store, or Ware-Houses, provided for the Purpose, any Goods, Wares or Merchandize, liable to Seizure by this Act; and that where the said Marshal, Sheriff or Collector, shall in the due Execution of their Office, be by any Person or Persons resisted, obstructed, abused, assaulted, beaten or wounded, either on Board of any Ship or Vessel, or upon Land or Water; all and every such Person or Persons so offending, shall forfeit and pay to the People of this State, the Sum of Two Hundred Pounds; together with Costs.

Marshal or Sheriff who receives a Warrant, may enter any Vessel, & bring on shore Goods liable to be seized.

If obstructed, the Offender to forfeit 200l.

XXIII. *And be it further enacted by the Authority aforesaid,* That in Case of the Seizure of any such Goods, Wares or Merchandize as aforesaid, the said Collector shall from Time to Time, procure and provide good and sufficient Store or Ware-Houses, for the Purpose of depositing and securing the said Goods at the public Expence.

Stores to be provided for Goods seized.

XXIV. *And be it further enacted by the Authority aforesaid,* That the Marshal, or Sheriff, who shall seize the said Goods, Wares and Merchandize, as aforesaid, shall give his Receipt for the same, expressing the particular Packages, Marks and Numbers; and that all such Goods, Wares and Merchandize shall remain in Custody of the Collector, until the Order of the Court of Admiralty.

Marshal to give Receipts for Goods by him seized.

XXV. *And be it further enacted by the Authority aforesaid,* That the said Goods, Wares and Merchandize, so seized as aforesaid, shall within Ten Days after Seizure be libelled in the Court of Admiralty; and that the Informant shall enter into a Bond or Recognizance with one sufficient Surety in the Sum of One Hundred Pounds, with a Condition to prosecute the same to Judgment or Condemnation.

Goods seized, to be libelled in the Court of Admiralty, &c.

Provided always, That such Bond or Recognizance shall not be entered into, or deemed requisite, where the Collector or any other Officer of the Customs is the Informant.

XXVI. *And be it further enacted by the Authority aforesaid,* That if any Person or Persons shall knowingly harbour, keep, conceal or buy any Goods, Wares or Merchandize, liable to Seizure by this Act, such Person or Persons shall forfeit and pay double the Value of the said Goods, Wares or Merchandize.

Concealers of Goods liable to Seizure, to forfeit double their Value.

XXVII. *And be it further enacted by the Authority aforesaid,* That the one Half of all the Forfeitures and Penalties mentioned in this Act, shall be to the Use of the People of this State, and the other Half to him or them that shall inform and sue for the same, after deducting all necessary Costs and Charges, to be recovered by Bill, Plaint or Information in any Court of Record in this State, except such Forfeitures and Penalties as are by this Act otherwise particularly mentioned to be recovered or appropriated.

How Forfeitures to be applied.

XXVIII. *And be it further enacted by the Authority aforesaid,* That the Collector after Condemnation of any Goods, Wares or Merchandize, so seized as aforesaid, shall and may cause the same to be sold at Public Auction to the highest Bidder, at such Place as the said Collector shall deem proper, giving at least Fourteen Days previous Notice of such Sale, in Two of the public News-papers of this State.

To be sold at public Vendue.

XXIX. *And be it further enacted by the Authority aforesaid,* That any Ship or Vessel driven into Port by Distress, may continue in Port as long as may be necessary to refit, without being compelled to an Entry at the Custom-House, or the Payment of Office Fees, other than the Payment of the Sum allowed for the Attendance of the Land and Tide-Waiters on Board of the said Ship or Vessel, during the Continuance of the said Ship or Vessel respectively, in any of the Ports of this State, and that the Master of such Ship or Vessel may land and sell, under the Direction of the Wardens of the Port into which such Ship or Vessel may be driven, as great a Part of the Cargo of the said Ship or Vessel, as may be necessary to procure Provisions and to pay the Expences of Repairs and other necessary Charges.

Vessel driven in Port in Distress, how long to continue without Entry.

And may sell a sufficiency of the Cargo, to pay the Repairs, &c.

XXX. *And be it further enacted by the Authority aforesaid,* That the Act, entitled, "An Act imposing Duties on the Importation of certain Goods, Wares and Merchandize," passed the 22d Day of March last, shall be and is hereby repealed; and that the Collector shall prosecute to Effect such Bonds taken for Duties, as directed in and by the said Act, and which are not yet due, immediately after they shall respectively become due, and that if the said Collector shall neglect to do the same, he shall be deemed to have received the Monies due on such Bonds, and be accountable for the same to the People of this State, as if he had actually received the same, and that all Suits, Informations or Prosecutions already commenced, or which may be commenced for any Forfeiture or Penalty incurred by Force of the said Act, may be continued and prosecuted in the same Manner as in and by the said Act is directed and provided.

The Impost Law passed last March, repealed, and Collector to prosecute Bonds under it, or to be considered as received by him.

And Suits commenced to be continued.

XXXI. *And be it further enacted by the Authority aforesaid,* That the present Collector and all the other Officers of the Customs, shall hold and exercise their respective Offices until they shall be re-appointed, or until other Persons shall be appointed and duly qualified to exercise the said Offices respectively.

How long the present Officers continue in Office.

A. D. 1784.
Unit. and Indep. IX.

C H A P. VIII.

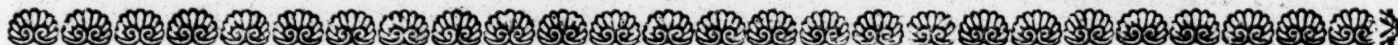
An Act to empower Fernandus Suydam, Elizabeth Debeavois, and John Vanderbilt, Administrators with the Will annexed, to Jacobus Debeavois, deceased, to execute the Trust and Power given to the Executors in the said Will named. Passed the 23d of November, 1784.

Preamble.

WHEREAS it is represented to the Legislature, that Jacobus Debeavois was in his Life-Time, and at the Time of his Death, seized in Fee of certain Lands and Tenements, situate in the Township of Brooklyne, in King's County, on Long-Island, in the State of New-York, and by his last Will and Testament, devised the same, to his two Sons Joost and Samuel Debeavois, in Fee as Tenants in common, and that the Executors in the said Will named, are since dead; by Reason whereof the Execution of the Will of the said Jacobus yet remains to be done and performed; and that Fernandus Suydam, Elizabeth Debeavois and John Vanderbilt have taken out Letters of Administration to the Estate of the said Jacobus.

How the Estate of Jacobus Debeavois to be divided.

Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That it shall and may be lawful for the said Fernandus Suydam, Elizabeth Debeavois and John Vanderbilt, the Administrators afore-mentioned, to divide the Estate of the said Jacobus, as in and by the said Will is directed, and further to execute and perform all, and whatsoever the Executors in the said Will named, are directed to do, as fully in every Respect, as if the said Executors were now living to perform the same; any Law, Usage, or Custom of this State to the contrary thereof, in any-wise notwithstanding.



C H A P. IX.

An Act to vest the real Estate of Anthony Byvanck, the Elder, deceased, in Trustees, for the Payment of his Debts, and other Purposes. Passed the 23d of November, 1784.

Preamble. Reciting the Prayer for the sale of the Estate of Anthony Byvanck, deceased.

WHEREAS Catharine Bingham, by her humble Petition to the Legislature, hath represented, that she, and her Brother Anthony Byvanck, junior, by Virtue of the last Will and Testament of Anthony Byvanck, their Father, were entitled to the real Estate, whereof their said Father died seized; that by the said last Will and Testament the Wife of the Testator, and Mary Burnfides, Widow, the only Executrixes thereof, were vested with full and absolute Power, to dispose of his real Estate for the Payment of his Debts; that her said Brother lately died and hath left an only Child, now an Infant of the Age of four Years, and that the Executrixes named in the last Will and Testament of her said Father are also dead without having made any Sale or Distribution of the said Estate; that there were sundry Debts due from her said Father at the Time of his Decease, which cannot be paid, nor can the said Infant be educated, unless the real Estate of her said Father is disposed of and converted into Money: The Petitioner hath therefore prayed, that a Law may be passed to authorise the Sale of the said Estate for the Purposes aforesaid; and the Prayer of the said Petitioner appearing to be just and reasonable.

Persons invested with Power to sell the same.

I. *Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That all the real Estate of the said Anthony Byvanck, deceased, be, and the same hereby is absolutely vested in William Goforth, Esquire, Ezekiel Robins, and James Bingham, their Heirs and Assigns, who are hereby authorised and required forthwith to sell and dispose of the same, in such Manner to such Person or Persons, and for such Consideration, as they may think fit, and may deem most conducive to the Interest of the Devisees of the said Estate and their Representatives, and Deeds and Conveyances thereof to seal and execute; which Sales so made, and Deeds or Conveyances thereupon executed by the said William Goforth, Esquire, Ezekiel Robins and James Bingham, or any two of them, or the Survivor of them, or the Heirs of such Survivor, are hereby declared to be good and effectual, to all Intents and Purposes in Law and Equity to vest in such Purchaser or Purchasers, the whole Estate and Interest which the said Anthony Byvanck had, in the said real Estate, and every Part thereof, at the Time of his Death: And upon the Receipt of the Monies arising from such Sale, the said Trustees, or any two of them, or the Survivor of them, shall first pay and discharge all the Debts due from the Estate of the said Anthony Byvanck, in the Order which the Law prescribes, and divide the Overplus in the Manner directed by the said Anthony Byvanck, in his last Will and Testament, and agreeable to Law among the Representatives of the said Anthony Byvanck, and those claiming under them.*

How the Monies arising therefrom, to be applied.

Trustees to file a Bond in Chancery, for the faithful Discharge of their Trust.

II. *And be it further enacted by the Authority aforesaid, That the said Trustees shall, before they exercise any of the Powers to them hereby given, file in the Court of Chancery, a Bond in such Penalty, and to such Person or Persons as the Chancellor shall think fit, conditioned for the faithful Discharge of the Trust and Powers in them hereby vested; and to render an Account of the said Estate, when thereunto required.*

CHAP.

C H A P. X.

A. D. 1784
Unit. and Indep. IX.

An Act respecting certain Prosecutions existing in the Supreme Court of Judicature of this State.
Passed 23d November, 1784.

BE it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That it shall be lawful for the Attorney-General of this State, and he is hereby directed to enter a Discontinuance in each of the Prosecutions commenced on the Act, entitled, "An Act for the Forfeiture and Sale of the Estates of Persons who have adhered to the Enemies of this State, and for declaring the Sovereignty of the People of this State, in respect to all Property within the same," and not already prosecuted to Judgment; and that the several Persons against whom Indictments now exist, founded on the Act aforesaid, and not already prosecuted to Judgment, be discharged respectively, from the said Indictments, and all Prosecutions thereon, on the Payment of Costs.

Attorney-Gen. to stay Prosecutions under the Confiscation Law, not already carried in effect.

And Persons indicted to be discharged.



C H A P. XI.

An Act instituting a Court for the Trial of Impeachments and the Correction of Errors. Passed 23d November, 1784.

WHEREAS by the Constitution of this State, it is ordained, that a Court shall be instituted for the Trial of Impeachments, and the Correction of Errors, under the Regulations which shall be established by the Legislature, and to consist of the President of the Senate for the Time being, and the Senators, Chancellor, and Judges of the Supreme Court, or the major Part of them.

Preamble.

I. *Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same,* That the President of the Senate for the Time being, and the Senators, Chancellor, and the Judges of the Supreme Court, or the major Part of them, shall be, and hereby are constituted a Court for the Trial of Impeachments and the Correction of Errors; and it shall and may be lawful for the same Court, at all Times hereafter, during the sitting of the Legislature, to assemble for the Purposes aforesaid, on such Days, and at such Places as the same Court shall, from Time to Time appoint.

A Court for the Trial of Impeachments, &c.

When to sit.

II. *And be it further enacted by the Authority aforesaid,* That the said Court hereby instituted, shall be, and hereby is authorised and required, forthwith to cause a Seal for the same Court to be devised and made, and as soon as conveniently may be, after the same Seal is made, shall cause a Description thereof in Writing, to be delivered to the Secretary of this State, who shall record and deposit the same in his Office, there to remain as a public Record.

To have a Seal, & be lodged in the Secretary's Office.

III. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for the Person administering the Government of this State for the Time being, by and with the Advice and Consent of the Council of Appointment, from Time to Time to appoint a fit and proper Person to be Clerk of the same Court, who shall hold his Office, during the Pleasure of the said Council, and that all Writs and Process issuing out of the same Court, shall be made in the Name of the People of the State of New-York, and tested in the Name of the President of the Senate for the Time being, and signed by the Clerk of the same Court.

How a Clerk to be appointed for said Court.

And Writs issuing out of it, how to be tested and signed.

IV. *And be it further enacted by the Authority aforesaid,* That all Impeachments shall be delivered to the President of the Senate for the Time being, who shall thereupon immediately cause the Court hereby instituted for the Trial of Impeachments to be summoned; and the same Court shall thereupon forthwith cause the Person so impeached to appear, or be brought before them, to answer the Charge exhibited against him, and upon the Appearance of such Person so impeached he shall be entitled to have a Copy of the said Impeachment, and a reasonable Time to plead or answer to the same. And when Issue shall be joined upon such Impeachment, the Court shall appoint a Time and Place for the Trial thereof; and at the Time and Place so appointed, and before they proceed upon the Trial, the President of the Senate for the Time being shall administer to each of the Members of the said Court then present, and the Clerk of the said Court shall at the same Time also administer to the President an Oath, or if of the People called Quakers, an Affirmation, truly and impartially to try and determine the Charge in Question according to Evidence; and the said Court shall then proceed to hear, try and determine the same, and may from Time to Time, if necessary, adjourn the said Trial to any other Time or Place; and no Member of the same Court shall set or give his Vote upon such Trial until he shall have taken the Oath or Affirmation aforesaid, before the President of the Senate for the Time being. *Provided always,* That no Judgment or Sentence of Conviction shall be given against any Person upon any Impeachment unless two-third

Process of Impeachments before issue, joined.

After Issue joined, to appoint a Time for Trial, &c.

And proceed to determine the same.

No Judgment to be

Parts

given against the Party, unless by a Majority of two Thirds, &c.

Parts of the Members of the said Court then present shall assent to such Judgment or Sentence. And if two third Parts of the Members then present shall not assent to a Judgment or Sentence of Conviction, then and in such Case the Person so impeached shall be considered as acquitted from such Impeachment; and no Judgment or Sentence of Conviction upon any such Impeachment shall extend further than to Removal from Office, and Disqualification to hold or enjoy any Place of Honor, Trust, or Profit under this State; but the Party so convicted or acquitted shall be nevertheless liable and subject to Indictment, Trial, Judgment, and Punishment, according to the Laws of the Land.

Power of Impeachment vested in the Assembly.

V. *And be it further enacted by the Authority aforesaid,* That the Power of impeaching all Officers of the State for mal and corrupt Conduct in their respective Offices be vested in the Representatives of the People in Assembly; but that it shall always be necessary that two third Parts of the Members present shall consent to and agree in such Impeachment.

Persons impeached, to be suspended from the Exercise of their Office.

VI. *And be it further enacted by the Authority aforesaid,* That when any Officer shall be so impeached, as aforesaid, he shall be, and hereby is suspended from exercising his Office until his Acquittal: And if the President of the Senate should at any Time be impeached as aforesaid, Notice thereof shall be immediately given by the Assembly to the Senate, that another President may be appointed.

Errors in Courts of Chancery, Supreme, &c. to be redressed by this.

VII. *And be it further enacted by the Authority aforesaid,* That all Errors happening in the Court of Chancery, the Supreme Court, the Court of Probates, and the Court of Admiralty, except in Cases of Captures, shall be redressed and corrected by the Court hereby instituted, and that it shall and may be lawful as well for the Attorney-General in Behalf of the People of this State, as for any Party, Plaintiff or Demandant or Defendant, Tenant or Vouchee against whom any Judgment hath been or may hereafter be given in the said Supreme Court, or their Representatives who may be thereby aggrieved, to sue forth out of the Court of Chancery a Writ of Error to be directed to the Judges of the Supreme Court for the Time being, commanding them to cause the Record of such Judgment and all Things concerning the same to be brought before the President of the Senate, and the Senators, and Chancellor, which Writ of Error, if issued during the Sitting of the Legislature shall be made returnable at the Place where the Senate shall then sit without Delay, but if issued during the Recess of the Legislature, then such Writ of Error shall be made returnable at the next Meeting of the Senate wheresoever the same shall then be; and the Party prosecuting such Writ of Error, shall without Delay cause a Transcript of the said Record to be made, and the said Judges to whom such Writ of Error may be directed, or any one of them, shall within fifteen Days after Notice of the said Writ of Error, if the same be returnable without Delay, or if otherwise, at the Day of the Return thereof annex the said Transcript to the said Writ of Error, and indorse a proper Return upon the same Writ, and return the same. And the President of the Senate for the Time being, and the Senators and Chancellor, or the major Part of them, shall have full Power and Authority, and hereby are authorised and required to examine all such Errors as shall be assigned or found in such Record, or in any Process or Proceeding concerning the same, and to call upon the Judges of the said Supreme Court to assign the Reasons of such Judgment, and thereupon to reverse or affirm the said Judgment, and to give such other Judgment therein as the Law shall require, and shall then cause the said Transcript of the Record, with their Judgment thereon, and all Things concerning the same, to be remitted back into the said Supreme Court, where such further Proceedings shall be thereupon as well for Execution as otherwise, as may be agreeable to Law and Justice.

Further Power of this Court.

Writ of Errors not to be abated for want of a Court at the Time it is returnable.

VIII. *And be it further enacted by the Authority aforesaid,* That if at the Return of any such Writ of Error, or at any other Time to which the same or the Proceedings thereon shall be adjourned or continued, there should not be present a sufficient Number of the Members of the said Court of Errors to proceed thereon, the said Writ of Error, or the Proceedings thereon, shall not be thereby abated or discontinued, but the Members of the said Court of Errors, then present, shall in such Case adjourn or continue the same to some further Day. *Provided always,* that no Judgment shall be given, nor any Rule or Order made upon any such Writ of Error, or Process, or Proceeding thereon; except for adjourning or continuing the same, unless the President of the Senate for the Time being, and the Senators and Chancellor, or the major Part of them at the least be present.

Provido.

Persons aggrieved in Court of Chancery, to appeal to that of Errors for Redress.

IX. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for all Persons who are or may be aggrieved by any Sentence, Judgment, Decree or Order of the Court of Chancery, to appeal from the same, or any Part thereof, to the President of the Senate for the Time being, and the Senators and the Judges of the Supreme Court, and the President of the Senate and the Senators, and the Judges of

of the Supreme Court for the Time being, or the major Part of them, shall have full Power and Authority, and hereby are authorised and required to call upon the Chancellor to assign the Reasons of such Sentence, Judgment, Decree or Order, and to examine, hear, and finally determine such Appeal, and all Matters concerning the same; and to reverse, affirm, or alter such Sentence, Judgment, Decree or Order, and to make such other Order or Degree thereon, as Equity and Justice shall require, and thereupon to remit the same, with their Judgment, Decree and Order in the Premises, and all Things concerning the same, back into the said Court of Chancery where such further Proceedings shall be thereupon as well for Execution as otherwise, as may be agreeable to Equity and Justice. *Provided always*, that all such Appeals, except those from final Decrees be made within fifteen Days next, after making the Orders or Decrees so appealed from.

Who shall make such Decree thereon, as Justice & Equity requires.

Proviso.

X. *And be it further enacted by the Authority aforesaid*, That it shall and may be lawful for all Persons who are or may be aggrieved by any Sentence, Judgment, Decree or Order of the Court of Probates, or of the Court of Admiralty (except in Cases of Captures) to appeal from the same, or any Part thereof, to the President of the Senate for the Time being, and the Senators, Chancellor and Judges of the Supreme Court, and the President of the Senate and the Senators, the Chancellor and the Judges of the Supreme Court, or the major Part of them, shall have full Power and Authority, and hereby are authorised and required to examine, hear, and finally determine all such Appeals and all Matters concerning the same, and to reverse, affirm or alter such Sentence, Judgment, Decree or Order, and to make such other Order or Decree therein, as Equity and Justice shall require; and thereupon to remit the same with their Judgment, Decree and Order in the Premises, and all Things concerning the same, back into the Court so appealed from, where such further Proceedings shall be thereupon as well for Execution as otherwise, as may be agreeable to Equity and Justice. *Provided always*, that all such Appeals from the said Court of Admiralty and from the said Court of Probates be made within fifteen Days next, after making or giving the Sentence, Judgment, Decree or Order so appealed from. And that all Appeals from any Sentence, Judgment or Decree heretofore made by the Court of Admiralty, or Court of Probates shall be made within six Weeks after the passing of this Act.

Persons aggrieved in certain Courts, to appeal to this.

Who shall make such Decree as Justice requires.

Proviso.

XI. *And be it further enacted by the Authority aforesaid*, That in all Questions arising upon such Writs of Error and Appeals, and the Proceedings and Judgments thereon, when the other Members of the Court then present, shall be equally divided in Opinion, the President of the Senate for the Time being shall have a casting Voice in the Decision, but shall not vote in any other Case whatever.

In all Appeals where there is a Division on a Question, to be decided by the President.

XII. *And be it further enacted by the Authority aforesaid*, That all Writs of Error, upon Judgments in the Supreme Court, and Appeals from definitive Sentences in the Court of Chancery heretofore given or made, or hereafter to be given or made, shall be brought within five Years next after rendering the Judgment or making the Decree, and not after.

Writs of Error & Appeals, from definitive Sentences in Court of Chancery, to be brought within a certain Time.

XIII. *And be it further enacted by the Authority aforesaid*, That Writs of Error in all civil Cases, and criminal Cases not capital, shall be considered as Writs of Right, and issue of Course; and in all capital Cases, Writs of Error shall be considered as Writs of Grace, and shall not issue but by Order of the Chancellor for the Time being made upon Motion or Petition, Notice whereof shall always be given to the Attorney-General for the Time being, or the Prosecutor for the State.

Writs of Error in Cases not capital, considered as Writs of Right, and issue of Course.



C H A P. XII.

An Act to explain and amend the Act, entitled, An Act relative to Debts due to Persons within the Enemy's Lines, passed 12th July, 1782. Passed 24th November, 1784.

WHEREAS Doubts have arisen whether the said Act doth extend to Executors and Administrators, both of Debtors and Creditors, especially the Executors and Administrators of Persons who have deceased since the passing of the said Act;

Preamble.

I. *Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted and declared by the Authority of the same*, That the abovesaid Act, doth extend to the Executors and Administrators of all such Debtors and Creditors, as fully and absolutely as it would extend to their Testators and Intestates, were they in full Life, and shall be so deemed, construed and taken, to all Intents, Constructions and Purposes whatsoever, both in Law and Equity.

Act extended to Executors of Testators as fully as if they were living.

And whereas some of the Creditors described in the fourth Section of the before in Part recited Act, have withdrawn, or may hereafter withdraw themselves from this State, and thereby put it out of the Power of their Debtors (to whom the aforesaid Act was intended to give Relief) to cite them before any Court of Law in this State, to have a

Recital.

How Persons who have absented themselves, are to be notified to appear to receive Payment of their Debts.

Provided the Debtor make Affidavit that he believes he hath departed the State.

Claims of certain Legatees not to be affected by this Act.

Oath of Allegiance required of Persons claiming Benefit of this Act, &c.

When Assignment of any Debt, is deemed fraudulent.

Corporation only to be affected in Cases of Assignment.

Act to extend to certain insolvent Debtors Estates.

Settlement, and make Payment agreeable to the Mode prescribed in and by the said Act.

II. *Be it therefore further enacted by the Authority aforesaid,* That it shall and may be lawful, to and for such Debtor or Debtors as aforesaid, by Advertisement, to be published for eight Weeks successively in two of the public News-papers printed in this State, to notify and require such his, her or their absent Creditor or Creditors, to appear at a Time and Place to be mentioned in such Advertisement, before some certain Court of Law in this State, to have a Settlement and Payment made as aforesaid, (which Time shall not be less than eight Kalendar Months from the first Publication of such Advertisement) and that such Notification shall be deemed, taken and adjudged to be a sufficient Citation to all Intents and Purposes, and shall have the same Validity and Effect, as if such Creditor or Creditors had been personally cited :

Provided always, That no such Advertisement or any Proceeding thereon, shall be deemed, adjudged or taken to be good or effectual in the Law, unless the Debtor or Debtors shall previously have made an Affidavit or Affirmation (in Cases where by Law an Affirmation is allowed) before one of the Judges of the Court of Law before which the Appearance of such Creditor shall be required, that he verily believes that the Creditor hath departed the State, or concealed himself therein; and that it is not in the Power of such Debtor or Debtors personally to serve such Creditor with a Citation for his Appearance; which Departure or Concealment shall also be proved to the Satisfaction of such Judge by two Witnesses. *Provided also,*

III. *And be it further enacted by the Authority aforesaid,* That nothing in this Act, or the Act hereby in part recited contained, shall affect, injure or take away, or be deemed or adjudged to extend to the Claims, Rights and Interests of any Legatee or other Person legally entitled in his or her own Right to the personal Estate of any Testator or Intestate, such Legatee or legal Representative not having remained or come, or by Virtue of any Law of this State been sent within the Power of the Enemy during the late War. *Provided also,* That no Person shall be allowed the Benefit of this Proviso, unless he shall first have taken the Oath of Abjuration and the Oath of Allegiance to this State, and shall have obtained a Certificate signed by two reputable and well affected Freeholders of this State, one whereof shall be a Judge of the Inferior Court of Common Pleas, or Mayor's Court of the County or City in which the Person named in such Certificate shall reside, certifying that he hath constantly and uniformly since the Ninth Day of July, One Thousand Seven Hundred and Seventy-Six, been well attached to the Freedom and Independence of the United States of America, and hath taken an active and decided Part therein,

IV. *And be it further enacted by the Authority aforesaid,* That in all Cases where any Debt, Bill or other Obligation, Mortgage, Security or Demand whatsoever, mentioned in the said herein in Part recited Act, shall have been assigned since the Time of the passing of the said Act, or shall hereafter be assigned to any Person or Persons whomsoever; by any Person who has remained with, gone into, or was sent within the Enemy's Lines during the said War, every such Assignment shall be deemed and adjudged fraudulent, and to have been made with Intent to elude the said Act, and every such Assignee, and his Representative shall be bound to receive Payment from the Debtor or his Representative, in the same Manner as the Original Oblige, Mortgagee or Creditor would have been held to receive the same, had no such Assignment been made.

V. *And be it further enacted by the Authority aforesaid,* That nothing in the aforesaid in Part recited Act, or this Act, shall be deemed, taken or construed to prejudice or effect any Corporation or Body Politic, except only with respect to Assignments herein before mentioned and described.

VI. *And be it further enacted by the Authority aforesaid,* That the above-mentioned Act shall be construed to extend to the Assignees or Trustees of the Estates of such Persons who became insolvent Debtors before the Ninth Day of July, 1776, so far as relates to Monies due to Persons who remained within the British Lines in this State.



C H A P. XIII.

An Act to exempt Ludewig Shoub and Peter Learman, and Jonas Denton, and their respective Heirs, Executors, Administrators and Assigns, from paying any Part or Share of the Produce of the Mines therein mentioned. Passed 24th Nov. 1784.

Preamble.

WHEREAS Ludewig Shoub and Peter Learman, have, by their Petition, represented to the Legislature, that they have discovered a Mine in the Manor of Cortlandt, in Westchester County, which may be so charged with Silver as to be subject to the Payment of a Proportion thereof to the People of this State, as Sovereign thereof; and that if such Proportion should be demanded, it may not only take away any Profit that may arise, but if there should not be a Profit equal to such Proportion, it may prove ruinous

inuous to the Workers; and the said Petitioners have prayed that they and their Assigns may, by a Law of this State, be exempted, for some certain Period, from paying to the People of this State, any Part or Proportion of the said Mine.

And whereas Jonas Denton, of Goshen, in Orange County, hath, by his Petition, represented to the Legislature, that he has discovered a Mine on his own Land, in Orange County, which he conceives is so charged with Silver, as to be subject to the Payment of a Proportion thereof to the People of this State; and that if the same should be demanded, it would not only take away any Profit that would arise, but that if there should not be a Profit equal to such Proportion, it may prove ruinous to the Workers, and the said Jonas Denton hath prayed that he and his Assigns may, by a Law of this State, be exempted, for a certain Period, from the Payment of any Proportion of the said Mine to the People of this State, as Sovereign thereof.

I. Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That the said Ludewig Shoub and Peter Learman, and the said Jonas Denton, and their several and respective Heirs, Executors, Administrators and Assigns, shall be, and hereby are exempted, acquitted, released and discharged from paying or yielding to the People of this State, as Sovereign thereof, or to any Commissioner, Agent, Collector or Receiver, for their Use, any Part, Share, Royalty, Proportion or Dividend whatsoever, of the said Mines so discovered by them the said Ludewig Shoub and Peter Learman, and Jonas Denton respectively, until the First Day of May which will be in the Year of our Lord One Thousand Seven Hundred and Ninety-Six.

Ludewig Shoub & Peter Learman, & Jonas Denton, exempted from paying to the State, any share of certain Mines.

II. And be it further enacted by the Authority aforesaid, That neither the said Ludewig Shoub and Peter Learman, nor the said Jonas Denton, or their, or either of their Heirs, Executors, Administrators or Assigns, or any of them, shall presume to work or intermeddle with the said Mines respectively, on any Pretence whatever after the Day last mentioned, until he or they shall have obtained Permission from the Legislature of the State, fixing the Part or Share of the said Mines respectively, to be paid to the People of this State as their Proportion.

After a limited Time expired, not to work them without consent of the Legislature.

III. AND, in order to give the Discoverers, and their Heirs, Executors, Administrators and Assigns respectively, every Advantage that may arise from their respective Discoveries; Be it further enacted by the Authority aforesaid, That in all Treaties with the Legislature for working the said Mines respectively, the said Ludewig Shoub and Peter Learman, as to the said Mine by them discovered, and the said Jonas Denton, as to the Mine on his own Land, and their several and respective Heirs, Executors or Administrators shall have the Offer to be a Party and Privy thereto, and shall, on every Offer have the Preference, it being the Will and Design of the Legislature that no other Persons shall have the Privilege to work the said Mines respectively upon such Terms as the said Petitioners respectively, or their respective Heirs, Executors, Administrators or Assigns will accept. Provided always, That nothing in this Act contained shall be construed to permit or give any Right to the said Ludewig Shoub and Peter Learman, or the said Jonas Denton, or their respective Heirs, Executors, Administrators or Assigns, to break or dig up the Soil or Ground of any other Person, or of the People of this State, without having previously by Contract obtained Permission for that Purpose, as well from the Owner or Possessor of the Improvements as from the Proprietor or Proprietors of the Fee of the Land.

The Discoverers hereafter, to have a Preference.

Proviso. Not allowed to break any Land without consent of Owners.



C H A P. XIV.

An Act to revive and amend an Act entitled, An Act for the Relief of Insolvent Debtors, within this State. Passed 17th April, 1784. Passed 24th November, 1784.

I. BE it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That the Act, entitled, "An Act for the Relief of Insolvent Debtors, within this State, passed the 17th April, 1784" shall be, and is hereby revived, and that the same shall and is hereby declared to extend to the respective Debtors, who at the Time of the passing of this Act, shall be actually confined in any of the Gaols or Prisons of this State.

This Act extended to all Debtors now in Gaol.

II. And be it further enacted by the Authority aforesaid, That the Assignee or Assignees to be appointed in Pursuance of the Act hereby revived, and of this Act, and every of them, shall within three Months after such Assignment, as in the said revived Act is specified, of the Insolvent Debtor's Estate, shall have been made and executed, appear before one of the Judges of the Supreme Court, or one of the Judges of the Inferior Court of Common-Pleas, of the County where such Debtor shall have been imprisoned, and take an Oath, (or if of the People called Quakers, an Affirmation) justly, truly, faithfully and impartially, without any Favour or Affection, to perform, do and execute the Trust reposed in him, or them, by Virtue of this Act, for the best Benefit and Advantage

Assignees of Debtors to take an Oath, to perform their Trust.

vantage of all and every of the Creditors of the said Insolvent Debtor; and that he or they, the said Assignee or Assignees, shall and will, within one Month after he, or they shall have made any Division among the Creditors of the Insolvent Debtor, exhibit and file in the Office of the Clerk of the County, where such Debtor shall have been confined, a List or Inventory of the Estate or Monies so divided, as aforesaid.

And after Notice, to make a Division of the Estate.

After first Division, when to make a 2d, &c.

No Person to be an Assignee, unless a Freeholder.

Assignee neglecting to convert such Estate into Money, subject to a Forfeiture.

To be recovered with Costs, &c. and how divided.

A Bond to be given to prosecute and divide.

Assignees refusing to make a Dividend, may be prosecuted by the Creditors.

Petition, Inventory, &c. of a Debtor, how to be filed.

No Person to be discharged, unless the Acceptance of Assignees be proved before the Court.

This Act extended to Persons herein named, not in actual Confinement.

III. *And be it further enacted by the Authority aforesaid,* That the said Assignee or Assignees shall within one Month after the Expiration of six Months Notice, directed by the Act hereby revived, proceed to, and make a Division as aforesaid; and in Case the whole of the said Insolvent Debtors Estate shall not then be converted into Money, that then and in such Case the said Assignee or Assignees shall proceed with all convenient Dispatch to convert the Residue of the said Insolvent Debtors Estate into Money, and within two Months after such first Division as aforesaid, shall proceed to another Division of the Residue, giving at least one Months previous Notice of such second Division, in one or more of the public News-Papers, printed in this State, and so as often as shall be necessary, until the whole of the said Insolvent Debtors Estate be converted into Money, and divided among the Creditors as aforesaid.

IV. *And be it further enacted by the Authority aforesaid,* That no Person or Persons shall or may be appointed an Assignee or Assignees, unless he, or they shall be a good and sufficient Freeholder or Freeholders of one of the Counties in this State.

V. *And be it further enacted by the Authority aforesaid,* That in Case any Assignee or Assignees, that shall be appointed by Virtue of this Act, and shall accept of such Appointment, shall neglect or refuse to convert the whole, or any Part of the said Insolvent Debtors Estate into Money, that then, and in every such Case such Assignee or Assignees so neglecting or refusing, shall forfeit and be liable to pay a Sum or Penalty equal to the Value of the Estate which he, or they shall so neglect or refuse to convert into Money as aforesaid, to be recovered with Costs, by any of the Creditors of the said Insolvent Debtor in an Action of Debt, or upon the Case, in any Court of Record, in this State, and by such Creditor or Creditors so having recovered the same, be paid and divided among all the Creditors of the said Insolvent Debtor, in such Manner and Form as a Division is herein before directed to be made by an Assignee or Assignees.

VI. *And be it further enacted by the Authority aforesaid,* That no Creditor shall or may prosecute or recover against any such Assignee or Assignees as aforesaid, until such Creditor shall previously have entered into a Bond payable to the other Creditors, or the major Part of them, with at least one sufficient Surety, being a sufficient Freeholder, in such Penalty as the Court or any of the Judges of the Court by whose Process such Insolvent Debtor shall have been confined in Gaol as aforesaid shall order, with a Condition, well and faithfully to prosecute for the said Forfeiture, or Sum so to be recovered, and to make such Division as aforesaid.

VII. *And be it further enacted by the Authority aforesaid,* That in Case any Assignee or Assignees, that shall be appointed by Virtue of this Act, shall neglect or refuse to make a Division or Divisions of any Monies by him or them received for the Use or Benefit of any Creditor or Creditors, such Assignee or Assignees shall be liable to pay the said Monies by him or them received, to be recovered with Costs by any or every of the Creditors, in any Court of Record in this State.

VIII. *And be it further enacted by the Authority aforesaid,* That the Petition, Account, Inventory, Depositions, Assignment and Warrant of Discharge of each Insolvent Debtor who shall be discharged in Pursuance of this Act, shall be filed in the Clerk's Office of the Court out of which the Process issued, whereby such Insolvent Debtor shall have been imprisoned, except where the Discharge shall be made by any Justice of the Peace upon any Process issued by him, that in such Case the Petition, Account, Inventory, Depositions, Assignment and Warrant of Discharge shall be filed with the said Justice.

IX. *And be it further enacted by the Authority aforesaid,* That no Person shall be entitled to a Discharge by Virtue of this Act, unless one or more Person or Persons shall declare before the Court or Judge to whom the said Petition shall be presented, that he or they are willing to accept of such Appointment, and to perform the Duties required of him or them by this Act, or unless a Certificate of such Acceptance under the Hand and Seal of such Assignee or Assignees, shall be previously produced to such Court or Judge, and proved before such Court or Judge by at least one credible Witness.

X. *And be it further enacted by the Authority aforesaid,* That this Act shall extend to William Mead, of the Town of Schenectady in the County of Albany; Robert Gordon, late of Schenectady in the County of Albany; Isaac Burton, of Amenia Precinct in Dutchess County; Christopher Codwise, Christopher Bancker, Archibald Kerly and Frederick N. Sander, respectively of the City of New-York; James Blackwell, of Blackwell's Island; and Duncan Mc. Dougall, of the County of Albany, although

although they are not in actual Confinement in any Gaol or Prison within this State; and that the Proceedings and Discharge, with respect to each of them, shall be had in the like Manner, and have the like Effect as if they were in actual Confinement at the Time of the passing of this Act. *Provided always*, That none of the Debtors herein particularly named, shall be entitled to Relief from the present Act, unless so many of the Creditors, other than Mortgagees, whose Debts shall amount to two-third Parts of the whole Monies owing by such Debtor (Debts secured by Mortgage or Mortgages excepted) shall certify to such Judge or Judges their Consent, that such Debtor shall have the Benefit of this Act.

A. D. 1784
Unit. and Indep. IX.

Proviso. That two Thirds of the Creditors consent to the same.

XI. *And be it further enacted by the Authority aforesaid*, That the Assignee or Assignees to be appointed by Virtue of this Act, may, as often as may be necessary, exhibit to the Judge or Judges, who shall make such Appointment, his, or their Accounts of all Disbursements made by the said Assignee or Assignees, in transacting the Business relative to the Estate of such Insolvent Debtor or Debtors, and the said Judge or Judges to whom such Account shall be exhibited, is, and are hereby authorized to allow the same, and to make such further Allowances to the said Assignee or Assignees, as the said Judge or Judges may deem reasonable, and shall certify and tax for the Trouble and Time expended in the Business relative to the Estate of such Insolvent Debtor or Debtors; and it shall be lawful for the said Assignee or Assignees to retain such Monies in his, or their Hands, before any Division of such Debtor's Estate shall be made as aforesaid.

Assignees to exhibit to the Judges, an Account of Disbursements, who are authorized to allow the same.

XII. *And be it further enacted by the Authority aforesaid*, That no Person who has been employed in any public Department as Quartermaster, Commissary or Purchaser, either under the United States, or under this State, shall be discharged by Virtue of this Act, unless he proves to the Satisfaction of the Judge or Judges to whom he shall apply for such his Discharge, that his public Accounts are settled.

No Commissary or Quartermaster, to be discharged, until he proves a Settlement of his public Accounts.

C H A P. XV.

An Act to amend an Act, entitled, An Act for granting certain Privileges to the College, heretofore called King's College, for altering the Name and Charter thereof, and erecting an University within this State. (Passed the 1st Day of May 1784) Passed 26th Nov. 1784.

WHEREAS it is represented to the Legislature, that from the dispersed Residences of many of the Regents of the University of this State, and the Largeness of the Quorum, who are made capable of Business, the Interest and Prosperity of the said University have been greatly obstructed. And it is also represented that certain Doubts have arisen in the Construction of the Act, entitled, "An Act for granting certain Privileges to the College heretofore called King's College, for altering the Name and Charter thereof, and erecting an University within this State, passed the first Day of May 1784." For Remedy whereof

Preamble.

I. *Be it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same*, That in Addition to the Regents appointed in and by the before-mentioned Act, the several Persons herein after-named, shall be, and hereby respectively are constituted Regents of the said University, (that is to say) John Jay, Samuel Provost, John H. Livingston, John Rodgers, John Mafon, John Ganoe, John Daniel Gros, Johann Ch. Kunze, Joseph Delaplain, Gerthom Seixas, Alexander Hamilton, John Lawrence, John Rutherford, Morgan Lewis, Leonard Lispenard, John Cochran, Charles Mc. Knight, Thomas Jones, Malachi Treat and Nicholas Romain of New-York; Peter W. Yates, Mathew Visscher and Hunlock Woodruff, of Albany; George J. L. Doll, of Ulster; John Vanderbilt, of Kings; Thomas Romain, of Montgomery; Samuel Buel, of Suffolk; Gilbert Livingston, of Dutchess; Nathan Kerr, of Orange; Ebenezer Lockwood, of Westchester, John Lloyd, jun. of Queens; Harmanus Garrison of Richmond; and Ebenezer Ruffel of Washington: And that the said respective Regents hereby constituted, shall enjoy the same Power and Authority, as are granted to, and vested in the other Regents appointed by the said Act, as fully and effectually, as if they had been therein expressly named.

A number of Persons herein named, added to the University of this State.

Who shall have same Power as the others.

II. *And be it further enacted by the Authority aforesaid*, That it shall and may be lawful to and for the Chancellor of the said University, and in his Absence the Vice-Chancellor, and in the Absence of both, the Regent next nominated in the before-mentioned Act, who shall be present together with any eight or more of the Regents duly convened to form a Quorum of Regents for the Dispatch of the Business and Affairs of the said University, whose Acts and Proceedings shall be as valid and effectual to all Intents and Purposes, as if all the Members of the said Regency were actually present. *Provided always*, That to constitute a legal Meeting of the Regents,

How many to form a Quorum.

Proviso. Meeting to

be held, appointed by the Chancellor, by Notice.

the Time and Place for holding the same, shall be previously fixed by the Chancellor, or in his Absence the Vice-Chancellor, or in the Absence of both, the Regent next nominated in the said Act, by writing under his Hand, and Notice thereof signed by the Secretary of the University, shall previously be advertised in one of the public News-Papers, for at least two Weeks, to give all the Regents within a convenient Distance, an Opportunity of attending.

Annual Meeting when and where to be held.

III. *And be it further enacted by the Authority aforesaid,* That there shall be an annual Meeting of the Regents of the said University, which shall be held at the Time and Place where the Legislature shall first be convened, after the first Monday of July in every Year, and that at every such Meeting the Acts and Proceedings of the Regents of the said University shall be reported and examined.

Clergy of each Denomination to meet, & may elect one of them to be a Regent.

IV. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful to, and for the Clergy of each respective religious Denomination in this State, respectively to meet at such Time and Place as they shall deem proper, after the passing of this Act, and then and there, by a Majority of Voices of the Members of each respective Denomination so assembled, to elect one of each of their respective Bodies, to be a Regent of the said University, and in Case of Death or Resignation, to elect Successors in the same Manner; and every Regent so elected shall have the like Powers as any Regent constituted by this Act, or the Act hereby amended.

In Case of Vacancy, to elect another.

Where the first Meeting of the Regents is to be held, and when.

V. *And be it further enacted by the Authority aforesaid,* That the next Meeting of the Regents of the said University, shall be held at the Senate Chamber, the Day after the rising of the Legislature, if that Day shall not happen on Sunday, in which Case, the said Meeting shall be held on the Day succeeding, and a sufficient Quorum of the Regents being assembled, shall have Power to adjourn from Time to Time, and to any Place they shall think fit for the Dispatch of the Business of the said University.

State Treasury to advance the College Treasurer 2552l. to be accounted for by Regents.

VI. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful to and for the Treasurer of this State, and he is hereby authorized and required to advance to the Treasurer of the said University for the Use of Columbia College a Sum not exceeding Two Thousand Five Hundred and Fifty-two Pounds, for which the said Regents shall be accountable, out of the Funds of the said Columbia College.



C H A P. XVI.

An Act to compel the Payment of the Arrears of Taxes, for enforcing the Payment of Fines and Amerciaments, obliging Sheriffs to give Security for the due Execution of their Offices, and for other Purposes. Passed November 26th, 1784.

Preamble, respecting the 100,000l. Tax.

WHEREAS it has been represented to the Legislature, that the Tax directed to be raised by Virtue of the Act, entitled, "An Act for raising 100,000l. within the several Counties therein mentioned," passed the 6th May, 1784, has not been raised and collected; and that in some of the Towns, Manors, Districts, Precincts and Wards, no Assessments have been made within the Time directed, and in others the Assessments have been made without the Assessors having been previously qualified; and Doubts have arisen whether the said Tax can be collected without farther legislative Provision;

Duty of Assessors where Assessments have not been made or completed.

I. *Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same,* That the Assessors of the respective Districts, Towns, Manors, Precincts, and Wards, in the several Counties wherein the said Tax was directed to be raised, who have not made or completed the Assessments, as directed by the said Act, shall, with all possible Dispatch, after the passing of this Act, make and complete the same in the Manner in and by the said Act required; and that each Assessor, if he hath not taken the following Oath, shall, before he proceeds on the Execution of his Office, take and subscribe, before a Justice of the Peace of the County wherein he resides, and who is hereby required to administer the same, an Oath prescribed in and by the sixth Clause of an Act for increasing the Number of Assessors throughout this State, passed 12th May, 1778, and which Oath is in the Words following, viz.

Assessors' Oath.

"I, an Assessor, elected for _____ do solemnly and sincerely swear and declare, in the Presence of Almighty God, that I will honestly and impartially assess the several Persons and Estates within the _____ And that in making such Assessments, I will, to the best of my Knowledge and Judgment, observe the Directions of the several Laws of this State, requiring and directing each respective Assessment to be made. So help me God."

Provide.

Provided, That if any Assessor shall be of the People called Quakers, before he enters upon the Duties of his Office, he shall take a like Affirmation, instead of the Oath aforesaid.

II. *And be it further enacted by the Authority aforesaid,* That the Supervisors in the several Counties within this State, except in the City and County of New-York, wherein no County Treasurer is appointed, shall forthwith meet together, and in the Manner heretofore accustomed within this State, appoint some fit Person to that Office; and in Case of Neglect of the Supervisors to make such Appointment for the Space of thirty Days next after the Day of the passing of this Act; each such Supervisor, so neglecting, shall forfeit the Sum of One Hundred Pounds, to be recovered with Costs, in an Action of Debt, by the Treasurer of this State, in his own Name, for the Use of the People thereof.

Supervisors, except in N. York, when to appoint County Treasurers, or forfeit 100l.

III. *And be it further enacted by the Authority aforesaid,* That the Forfeiture of Twenty Pounds, mentioned in the thirteenth Section of the aforesaid Act, shall be, and is hereby increased to the Sum of One Hundred Pounds. And the several Officers mentioned in this Act, for every Neglect or Refusal to execute the Duties thereby enjoined on them, respectively, besides the aforesaid Forfeitures by the aforesaid Acts, or herein declared, are hereby declared to be, and made subject to a Prosecution at the Suit of the People of this State, by Information, in the Name of the Attorney-General; and it is hereby expressly made his Duty, on the report of the Treasurer of this State, that either of the said Officers have neglected or refused to execute or perform any Duty thereby enjoined on him, to file and prosecute such Information; any Form or other Law to the Contrary thereof in any Wise notwithstanding. And that in such Prosecution or Prosecutions, the Defendant or Defendants shall not be allowed more than one Imparance; and if convicted, shall have Judgment against him or them for such Fine or Fines as the Court in which the Information may be prosecuted, shall adjudge, with the Costs of the Prosecution.

A former Forfeiture of 20l. increased to 100, & delinquent Officers subjected to Prosecution, &c.

IV. *And be it further enacted by the Authority aforesaid,* That the Assessments which have been made in Pursuance of the aforesaid Act, and the Tax, or any Part thereof which has been collected in Pursuance of the said Act, are hereby declared to be valid and effectual, notwithstanding the Assessors, at the Time of making such Assessment, had not taken the Oath or Affirmation by Law prescribed.

Certain Assessments & Collections deemed valid.

And whereas the Time limited in and by the aforesaid Act, for the Payment of the first Moiety of the Monies thereby directed to be raised, is elapsed;

Preamble.

V. *Be it therefore enacted by the Authority aforesaid,* That the first Moiety of the said Tax shall be paid into the Treasury of this State, on or before the first Day of March next; and the other Moiety thereof, on or before the first Day of October next.

When this Tax to be paid in State Treasury.

VI. *And be it further enacted by the Authority aforesaid,* That Joshua Pine, George Briggs, and Eden Hunt, Assessors of the Borough and Town of Westchester, who assessed the Sum apportioned to the said Borough and Town, pursuant to the Act for raising 100,000l. within the several Counties therein mentioned, according to the Directions of the said Act, shall be, and are hereby declared to be discharged from Suits commenced against them respectively, for the Penalty of Twenty-five Pounds, as having been incurred by them respectively, for having neglected to take the Oath of an Assessor, as prescribed by the Act, entitled, "An Act for increasing the Number of Assessors throughout this State; and that the Attorney-General of this State shall enter Discontinuances in the said several Suits, and not farther prosecute the same.

Certain Persons discharged from Suits, &c.

VII. *And be it further enacted by the Authority aforesaid,* That no Writ of Certiorari, already issued to remove the Proceeding, of any Justice of the Peace, who may have given Judgment in Favour of any Collector, against any Person or Persons, for neglecting or refusing to pay the Tax assessed on him, her, or them, by Virtue of the said Act, entitled, "An Act for raising 100,000l. within the several Counties therein mentioned," shall stay or supersede the Execution thereon; and that no Writ of Certiorari shall be hereafter allowed to remove the Proceedings of any Justice of the Peace, who shall give Judgment in Favour of any Collector, against any Person or Persons who shall neglect or refuse to pay the Tax assessed on him, her, or them, by Virtue of the Act aforesaid, or by Virtue of any of the Acts herein after mentioned, to compel the Payment of the Arrearage of Taxes therein specified; any Law to the Contrary notwithstanding.

No Writs of Certiorari already issued, to remove certain Proceedings to stay Execution thereon, nor shall such Writs hereafter be allowed to remove such Proceedings.

And whereas the Fine imposed on County Treasurers, by the Act, entitled, *An Act to compel the Payment of the Arrearages of Taxes*, passed 24th July, 1782, is inadequate;

Preamble, as to the Tax of July, 1782.

VIII. *Be it therefore enacted by the Authority aforesaid,* That instead of the Forfeiture of 50l. imposed by the last mentioned Act on the County Treasurers, for Neglect or Refusal to perform the Duties prescribed by the said Act, the said County Treasurers shall for every future Neglect or Refusal, forfeit the Sum of Two Hundred Pounds, to be recovered and applied in the same Manner, as in the second Clause of this Act is directed.

Delinquent Treasurers to forfeit 200l. instead of 50l.

And whereas it has been represented to the Legislature, that some of the Supervisors and Collectors of the Wards, Towns, Manors, Districts or Precincts, mentioned in the

Preamble.

A. D. 1784.
Unit, and Indep. IX.

Possessors of Tax-Lists,
to deliver them to Coun-
ty Treasury, or forfeit
100l. and Costs.

County Treasurers'
Duty, when Tax-Lists are
not delivered to them.

Proviso. Assessors to
notify where to meet, &c.

Taxes by Act of July,
1782, paid by 1st Oct.

Delinquent Collectors
to pay in Specie, the Va-
lue of Monies unpaid, or
forfeit the Amount, with
Costs, &c.

Delinquent County
Treasurers to account with
State Treasurer, who is
to prosecute for the same.

Preamble, respecting
counterfeit Bills.

the said Act, entitled, *An Act to compel the Payment of the Arrearages of Taxes*, have not within the Time thereby directed, delivered the Tax-Lists therein mentioned, or Copies thereof to the County Treasurers, and that some of the Tax-Lists have been lost, or destroyed, by Means whereof the said Taxes have not been collected;

IX. *Be it therefore enacted by the Authority aforesaid*, That the said Supervisors or Collectors of the said Wards, Towns, Manors, Districts or Precincts, or any of their Successors, in whose Hands or Possession any of the said Tax-Lists shall be, at the Time of the passing of this Act, shall within three Kalendar Months after the passing of this Act, deliver the same to the County Treasurer of the County in which the Assessment was made, and that each Supervisor or Collector, who shall neglect so to do, shall forfeit the Sum of One Hundred Pounds, besides Costs of Suit, to be recovered and applied as in the second Clause of this Act is directed.

X. *And be it further enacted by the Authority aforesaid*, That where the Tax-Lists of any Ward, Town, Manor, District or Precinct shall not be delivered to the County Treasurer, the Treasurer of the County shall in that Case proceed without Delay to ascertain the Value of the Money, agreeable to the 4th Clause of the Act, entitled, *An Act to compel the Payment of the Arrearages of Taxes*, at which such Ward, Town, Manor, District or Precinct had been quotaed, and which remains unpaid to the Treasurer of the County, and thereupon direct the Assessors thereof to apportion the same, as in and by the Act, the Tax-List whereon is so lost or destroyed, is directed; and each Assessor, who shall neglect or refuse to make such Apportionment, shall forfeit the Sum of One Hundred Pounds, besides the Costs of Prosecution, to be recovered and applied as in the said second Clause is directed. *Provided*, That before the respective Assessors proceed to make their Assessments on the Inhabitants of the Ward, Town, Manor, District or Precinct aforesaid, for the Purpose mentioned in this Clause, they shall respectively cause Advertisements to be put up in at least three of the most public Places in the said Ward, Town, Manor, District or Precinct, notifying that they will respectively meet at a certain Time and Place therein to be mentioned, to make such Assessment as in this Clause is mentioned; and it shall be lawful for the said Assessors respectively, to administer an Oath, or if of the People called Quakers, an Affirmation, to each Person respectively, who cannot otherwise prove that he has paid the said Tax, to be assessed; and upon such Oath or Affirmation being made, or other Proof given of the Payment of the Tax, to omit to assess such Person any Sum for the said Tax.

XI. *And be it further enacted by the Authority aforesaid*, That the Taxes directed to be paid by the said last-mentioned Act, shall be paid into the Treasury of this State, on or before the first Day of October next.

XII. *And be it further enacted by the Authority aforesaid*, That in Case any Collector or Collectors shall have neglected to pay the Monies or any Part thereof by him or them collected in Pursuance of the said last-mentioned Act, and shall neglect to pay the same into the County Treasury (in Specie according to the Value of such Monies, when he or they should have paid the same into the Treasury) within three Months after the passing of this Act, every such Collector, so neglecting, shall forfeit and pay to the People of this State, besides Costs, a Sum in Specie, equal to the several Sums by him or them so collected, to be recovered without Delay in an Action of Debt, or upon the Case, in the Name of the said Treasurer, in any Court of Record in this State, and by him be paid into the Treasury thereof; and in Case the said Treasurer shall neglect to prosecute for the said Forfeitures, or any of them, as aforesaid, he shall be accountable for the Amount thereof to the Treasurer of this State, as so much Money actually received by him for the Use of this State.

XIII. *And be it further enacted by the Authority aforesaid*, That in Case any County Treasurer or Treasurers shall have neglected to pay into the Treasury of this State, any Monies by him or them received for Taxes, such Treasurers and every of them, shall be accountable to the Treasurer of this State, for the Amount of such Sums of Money so by him or them received, according to the Value thereof, at the Time he or they shall so have received the same; and the said Treasurer of this State is hereby authorised and required to prosecute for the same without Delay, in his own Name, in any Court of Record in this State, in an Action of Debt, or upon the Case, wherein he shall recover with Costs.

XIV. *And be it further enacted by the Authority aforesaid*, That the Collectors respectively, in this Act mentioned, shall not allow to the Person or Persons respectively, who may be in Arrears for Taxes, any Interest on the Certificates directed to be received in and by the fifth Clause of the Act last before mentioned; and that all Certificates receivable in Payment of Sales of confiscated Property, sold at public Vendue, specified in an Act, entitled, *An Act for the speedy Sale of the confiscated and forfeited Estates within this State, and for other Purposes therein mentioned*, passed 12th May, 1784, shall be received by the Collectors respectively, in all Payments for the Arrears of Taxes to be collected in Pursuance

Pursuance of the Act last before mentioned, without any Computation of, or Allowance for the Interest due on such Certificates.

And whereas counterfeit Bills of Credit have in some Instances been received by the Collectors of the respective Wards, Towns, Manors, Precincts, and Districts in this State, in Payment for Taxes, in Pursuance of Laws heretofore passed; the Loss whereof has fallen upon the respective Collectors. Therefore,

XV. *Be it further enacted by the Authority aforesaid*, That it shall and may be lawful for the Justices and Supervisors of the several Wards, Towns, Manors, Precincts, and Districts in this State, where it shall appear to them respectively, by satisfactory Proof on Oath, that the Collector of the said Ward, Town, Manor, Precinct, or District, in which such Justices and Supervisors do reside, hath received counterfeit Bills of Credit in Payment for Taxes by Law heretofore directed to be collected, not knowing them to be counterfeit, the Loss whereof hath been sustained by such Collector, to reduce the Amount of such Loss to its Value in Specie, at the Time such Bills were respectively received, and to cause the said Sum in Specie to be raised in the said respective Wards, Towns, Manors, Precincts or Districts, in like Manner as the other contingent Charges of such Ward, Town, Manor, Precinct, or District, are raised; and when raised, to be paid to such Collector.

Justices & Supervisors to relieve Collectors who have received such; and how.

And whereas it is necessary to enforce the Collection of the Arrearages of the Taxes on the Act, entitled, *An Act for raising a Tax in Specie, and a Tax in Paper Currency*, passed June 30th, 1781, and on the Act, entitled, *An Act for levying a Tax within this State*, passed 20th November, 1781; and also on the Act, entitled, *An Act for raising the Sum of 18,000l. and the further Sum of 18,000l. by Tax, within this State, and for settling public Accounts*, passed 11th April, 1782; and also on an Act, entitled, *An Act for levying a Tax within this State*, passed 22d July, 1782; and also, on the Act, entitled, *An Act for raising Monies by Tax*, passed 25th March, 1783;

Preamble respecting Arrearages of Taxes, on five Acts.

XVI. *Be it therefore enacted by the Authority aforesaid*, That the several Persons who were Collectors between the 30th Day of June, 1781, and the first Tuesday of May, 1784, shall, and they are hereby required, on or before the first Day of March next, to pay unto the present County Treasurer, in each County respectively, such Monies as they shall have collected, under all or any of the last-mentioned Acts, and which have not already been paid into the Treasury of the County: And that the said Collectors also shall, and are hereby required, without Delay, to proceed to collect the Arrearages of the Taxes which have not yet been collected on the said Acts, or any of them; and that they the said Collectors, shall, on or before the 1st Day of October next, pay into the Treasury of the said Counties respectively, the Monies which they shall so collect as aforesaid.

How to be collected & paid.

XVII. *And be it further enacted by the Authority aforesaid*, That in Case any of the said Persons who were Collectors as aforesaid, have since died, then, and in every such Case, the Executors or Administrators of such Collector so deceased, shall, and they are hereby respectively required to deliver the several Tax-Lists of the said Collectors, whose Executors or Administrators they are, to the present Collector of the City, Town, Manor, District, or Precinct of the County, without Delay; and the said present Collectors, and every of them, are hereby authorised and commanded, on the Receipt of such Tax-Lists, without Delay to proceed to the Collection of the Arrearages due on the several Tax-Lists aforesaid.

Arrearages, how to be collected, where former Collectors have died.

XVIII. *And be it further enacted by the Authority aforesaid*, That in Case any of the said former Collectors, who have neglected to collect all the Monies due according to his Tax-List, shall have removed out of the District whereof he was Collector as aforesaid, and shall now reside in any other District of the same County; every such former Collector shall, and is hereby authorised and required, without Delay, to proceed to the Collection of the Arrearages due on the Taxes aforesaid, and which ought by him to have been collected.

Or have removed out of the District, &c.

XIX. *And be it further enacted by the Authority aforesaid*, That in Case any such former Collectors, who have neglected to collect all the Monies due according to the Tax-List, shall have removed, and now reside out of the County in which he resided when he was a Collector as aforesaid; then, and in all such Cases, the said several former Collectors shall, and they are hereby required, on or before the first Day of February next, to deliver their respective Tax-Lists aforesaid, to the present Collector of the respective Wards, Towns, Manors, Precincts, and Districts, in which the said former Collectors shall have been chosen, as aforesaid; and the said present Collectors shall, and are hereby authorised and severally required, on the Receipt of such Tax-List, without Delay, to proceed to the Collection of the Arrearages due on the several Tax-Lists aforesaid.

Or have removed out of the County;

XX. *And be it further enacted by the Authority aforesaid*, That in Case any former Collector shall have removed, and now resides out of this State; then, and in every such Case,

- Case, it shall be the Duty of the Supervisor of the Ward, Town, Manor, District, or Precinct, from whence such Collector shall have removed, to procure the said Tax-List of such Collector, and deliver the same, without Delay, to the present Collector, who is hereby required to proceed thereupon immediately to collect the Arrearage, or Monies thereupon due.
- Collector's Poundage.** XXI. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for the several Collectors who shall collect any of the aforesaid Taxes, to keep and retain in their Hands, at the Rate of Six-pence in the Pound, and no more, for the Monies they shall respectively collect in Pursuance of this Act, except the Collectors of the Cities of New-York and Albany, where no greater Poundage shall be allowed than at the Rate of Three-pence in the Pound, for the Monies that shall be there collected, in Pursuance of this Act; any Law to the Contrary thereof, in any Wise notwithstanding.
- Taxes to be paid in Specie or new Emission only.** XXII. *And be it further enacted by the Authority aforesaid,* That the said several Taxes shall be collected and paid in Specie or New-Emission Money of this State.
- Payment of Taxes how to be compelled, in case of Refusal.** XXIII. *And be it further enacted by the Authority aforesaid,* That the Collectors in all and every of the Wards, Towns, Manors, Districts and Precincts in the several Counties of this State, and every of them, shall and may, in Case of Neglect or Refusal of the Payment of any of the aforesaid Taxes, in Manner and Form aforesaid, proceed to levy and recover the same, agreeable to the fifth Clause of the said Act, entitled, *An Act for raising 100,000l. within the several Counties therein mentioned,* passed May the 6th, 1784.
- Where delinquent Collectors, &c. forfeit 100l. and Costs.** XXIV. *And be it further enacted by the Authority aforesaid,* That in Case any of the Persons who were Collectors between the said 30th Day of June, 1781, and the first Tuesday in May, 1784; and also in Case any of the Executors or Administrators of such of the said Collectors as have since died; and also, in Case any of the present Collectors of any of the Cities, Wards, Towns, Manors, Districts, or Precincts, in any of the Counties in this State, shall neglect or refuse to do and perform any of the Duties required of them by this Act; all and every such former Collector, his Executors and Administrators, and all and every present Collector so neglecting or refusing to do and perform any of the Duties aforesaid, in Manner and Form aforesaid, shall forfeit and pay to the People of this State, the penal Sum of One Hundred Pounds, beside Costs, to be sued for and recovered in the Name of the Treasurer of the County where such Neglect or Refusal shall or may happen; and by such Treasurer of the County, be paid into the Treasury of this State. *Provided always,* That none of the said Forfeitures or Penalties shall extend to such of the said Persons, or of the said Executors or Administrators, who shall not have it in their Power to procure and deliver the said Tax-Lists, according to the true Intent and Meaning of this Act.
- To be sued for by the County Treasurers, and paid in the State Treasury.** XXV. *And be it further enacted by the Authority aforesaid,* That in Case any of the said County Treasurers shall neglect or refuse, without Delay, to prosecute to effect, for the Recovery of any such Forfeitures or Penalties aforesaid, by him to be sued for and recovered; every such County Treasurer so neglecting or refusing, shall for every such Neglect or Refusal, forfeit and pay to the People of this State, the penal Sum of Two Hundred Pounds, to be recovered with Costs, in any Court of Record in this State, in the Name of the Treasurer thereof; and it is hereby declared to be the Duty of the said Treasurer, and he is hereby required to prosecute for the same.
- Provise.** XXVI. *And be it further enacted by the Authority aforesaid,* That the Secretary of this State shall, with all convenient Dispatch, procure a sufficient Number of Copies of this Act to be printed, and transmit the same, without Delay, to the several Treasurers of the respective Counties in this State, by them to be forwarded as soon as possible to the several Supervisors, Assessors and Collectors, in the said Counties respectively.
- Where County Treasurers shall forfeit 200l. and the State Treasurer to prosecute for the same.** XXVII. *And be it further enacted by the Authority aforesaid,* That the Act, entitled, "An Act for the Appointment of Commissioners to procure Monies on Loan, and Clothing for the Use of this State," passed the 7th Day of March, 1781, shall be, and the same is hereby declared to be repealed, so far as the same imposes a Tax on the Articles therein enumerated.
- How Copies to be sent to County Treasurers by the Secretary.** *Provided nevertheless,* That such Repeal shall not be construed so as to excuse the Collection of any Arrears due, on any former Assessment, made in Consequence of the said Act.
- Tax on specific Articles repealed, tho' not to excuse the Collection of certain Arrears.** XXVIII. *And be it further enacted by the Authority aforesaid,* That the Tax quoted on the United Districts of Duanesburgh and Schohary, in the County of Albany, in Pursuance of the Act, entitled, "An Act for raising Monies by Tax," passed 25th March, 1783, is hereby remitted.
- A Tax on Duanesburgh and Schohary remitted.** XXIX. *And be it further enacted by the Authority aforesaid,* That in Case any of the Persons who have been rated or taxed, on any of the aforesaid Acts, shall have removed to and reside in another County than where he was rated or taxed, then, and in every such

such Case, the several Collectors of the District, out of which such Person shall so have removed, shall and may prosecute for the Arrears of Taxes due by such Person so having removed as aforesaid, before any Justice of the County in which such Person to having removed, shall reside; and such Justices and every of them, are hereby authorised and required to hear, try, and determine the same, in the like Manner as if such Person so rated or taxed, had not removed as aforesaid.

moved out of the County,
how to be sued.

XXX. *And be it further enacted by the Authority aforesaid,* That every of the said former Collectors shall, and they are hereby required, without Delay, to appear before the present Supervisor of the Ward, Town, Manor, Precinct or District, where such Collector shall have been chosen, and deliver to such Supervisor an Account on Oath, or if the People called Quakers, Affirmation) of all and every the Sum and Sums of Money which any such Collector shall have received or collected for Taxes on any of the aforesaid Acts; and which said Oath or Affirmation, the said Supervisors are hereby respectively authorised and required to administer: And that the said several Supervisors who shall receive such Account, on Oath as aforesaid, shall, without Delay, deliver the same to the Treasurer of the County.

Former Collectors to
account with the Supervi-
sors, &c.

XXXI. *And be it further enacted by the Authority aforesaid,* That the Clerks of the respective Courts of Record in this State, shall, and it is hereby declared to be their Duty, on or before the first Day of March next, transmit and file in the Treasury of this State, an Account or List of all and every the Fines and Amerciaments which have been laid or adjudged in any of the Courts of Record in this State, since the first Day of April, One Thousand Seven Hundred and Eighty.

Accounts of certain
Fines to be filed in State
Treasury.

XXXII. *And be it further enacted by the Authority aforesaid,* That the respective Persons who have been appointed a Sheriff or Sheriffs of any of the Counties of this State, since the 20th Day of May, One Thousand Seven Hundred and Seventy-seven, and the present Sheriffs of any of the said Counties, shall, and they are hereby required, on or before the 1st Day of June next, to exhibit and file an Oath, on Account or List of all such Monies which they shall have received for any of the Fines or Amerciaments aforesaid, and the several Days they have levied or received the same, and deliver such Account to the Auditor of this State, for Settlement; and that every such Person who has been, or now is Sheriff as aforesaid, who shall neglect to do the same, shall forfeit and pay to the People of this State the penal Sum of 500l. besides Costs, to be sued for and recovered in the Name of the Treasurer of this State; and it is hereby declared to be the Duty of the said Treasurer to prosecute for the same.

Sheriffs appointed since
May 20, 1777, to account
for certain Fines received
&c. or forfeit 500l.

XXXIII. *And be it further enacted by the Authority aforesaid,* That every Person hereafter to be appointed to the Office of Sheriff of any City or County within this State, before he be permitted to exercise the said Office, shall give and enter into Bond to the People of this State, in the penal Sum of Two Thousand Pounds, with two sufficient Sureties, being Freeholders, each in the penal Sum of One Thousand Pounds, conditioned that such Sheriff shall well and faithfully in all Things perform and execute the said Office of Sheriff, without Fraud, Deceit, or Oppression; which Bonds shall be filed in the Clerk's Office of the Counties respectively, for which the respective Sheriffs shall be appointed; and the said Clerks respectively, shall judge of, and determine the Competency of such Sureties.

Those hereafter to be
appointed, to give Bonds
for their faithful Service.



C H A P. XVII.

An Act for the Payment of certain contingent Expences, and for other Purposes therein mentioned. Passed 29th November, 1784.

I. **B**E it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That the Treasurer of this State shall, out of the Monies which now are or hereafter may be in the Treasury, and not otherwise specially appropriated, pay the following Sums of Money, and to the following Persons, to wit.

Treasurer to pay cer-
tain Sums, out of Monies
in his Hands.

To each of the Delegates of this State, at and after the Rate of Five Dollars per Day, for such Time as they have attended or shall attend, or were going to or returning from Congress to their respective Places of Abode, according to such Accounts as they shall respectively produce, audited by the Auditor of the State; *Provided* that the Monies from Time to Time advanced to the said Delegates, shall be charged to their Accounts respectively, and the Treasurer is hereby authorised to advance to each of the Delegates respectively, who shall attend in Congress, a Sum not exceeding Two Hundred Pounds.

Delegates five Dollars
per Day.

To the several Members of the Senate and Assembly, for each and every Day they shall have severally attended in Senate or Assembly during the present Meeting of the Legislature, and for each and every Day they shall have been or may be travelling to and from

Members of Legislature
16s. per Day.

from their respective Places of abode to the Place of the said Meeting of the Legislature, each the Sum of Sixteen Shillings per Day, agreeable to such Accounts thereof as they shall severally produce, certified by the President of the Senate or Speaker of the Assembly, as the Case may be; the Account of the President of the Senate, to be certified by the Clerk of the Senate, and the Account of the Speaker of the Assembly, to be certified by the Clerk of the Assembly.

Of Council of Appointment, 16s. per Day.

To the former Members of the Council of Appointment, at and after the Rate of Sixteen Shillings per Day, during their Attendance on the Council in the Recess of the Legislature, and for the Time of their travelling from and to their respective Places of Abode, according to such Accounts as the Clerk of the said Council shall certify.

Clerks of Senate and Assembly, 30s. per Day.

To John Mc. Kesson, Esquire, Clerk of the Assembly, and Abraham B. Bancker, Esquire, Clerk of the Senate, for their Services in the respective Stations during the present Meeting of the Legislature, each Thirty Shillings per Day, and for several Sums by them severally advanced for the Use of the Senate and Assembly respectively, the Amount of such Accounts thereof respectively, as they shall severally produce, certified by the President of the Senate or the Speaker of the Assembly, as the Case may require.

Doorkeepers 16s. per Day.

To the Door-keepers of the Senate and Assembly, during the present Meeting of the Legislature, each Sixteen Shillings per Day, agreeable to such Certificates thereof as they shall respectively produce, certified by the President of the Senate or Speaker of the Assembly.

Preamble, reciting the necessity of giving further Time to Debtors to forfeited Estates.

And whereas, in and by the Forty-sixth Section of the Act, entitled, "An Act for the speedy Sale of the confiscated Estates within this State, and for other Purposes therein mentioned," passed the 12th Day of May, 1784, it is declared that Citizens of this State who are indebted to any Persons whose real or personal Estates are forfeited to the People of this State, should and might pay such Debts into the Treasury of this State, within Six Months after the passing of the said Act.

And whereas, it is deemed expedient that a farther Time should be given for the Payment of the said Debts;

A further Time given to such Debtors, &c.

II. *Be it therefore enacted by the Authority aforesaid*, That it shall and may be lawful for such Debtors, and for such Person or Persons who have purchased any Lands which were at the Time of such Purchase mortgaged, and which Mortgages have been forfeited as aforesaid, to pay the Monies as provided in and by the said Act, and the Monies due on such Mortgages into the Treasury, provided the same be so paid on or before the First Day of November next; and the Commissioner or Commissioners are hereby inhibited from suing for and recovering the said Debts, until after the said First Day of November, any Thing in the said Forty-sixth Section to the Contrary notwithstanding.

Treasurer to pay Robert Henry 37l. for a destroyed Stove at Kingston.

III. *And be it further enacted by the Authority aforesaid*, That it shall and may be lawful for the Treasurer of this State, to pay out of any Monies in his Hands unappropriated, to Robert Henry, or Matthew Watson, the Sum of Thirty-seven Pounds for an Iron Stove, the Property of the Presbyterian Church, in the City of Albany, which was destroyed by Fire, while in the Use of the Legislature of the State at Kingston.

To Commissioners for vindicating the Jurisdiction of this State against the Claims of Massachusetts, 1000l.

IV. *And be it further enacted by the Authority aforesaid*, That it shall and may be lawful for the Treasurer of this State, and he is hereby required to advance unto the Agents appointed in Pursuance of the Act, entitled, "An Act to appoint Agents or Commissioners for vindicating the Right and Jurisdiction of this State against the Claims of the Commonwealth of the Massachusetts, pursuant to the Articles of Confederation and Perpetual Union of the United States, passed during the present Meeting of the Legislature," or to any two of them, on their Receipt, such Sum or Sums of Money, as they shall require to defray the Expence of the Trust reposed in them, not exceeding One Thousand Pounds, for which they shall be accountable.

Auditor to audit Accounts of certain Levies in the Continental Line, & Treasurer to give Certificates.

V. *And be it further enacted by the Authority aforesaid*, That it shall and may be lawful for the Auditor, to audit the Accounts of the Levies of this State, who were from Time to Time drafted in the Continental Line of this State, on the Officers under whose Command the said Levies served, producing the necessary Proofs to the Auditor, from the Paymaster of the Regiment, in which the Levies respectively served the Time of their Inlistment, and which have not been settled with by the Paymaster-General, and charge the same to the Account of the United States; and the Treasurer is hereby directed to grant Certificates to the Levies aforesaid, in like Manner as has been granted to the Levies and Militia of this State, agreeable to an Act, entitled, "An Act for the Settlement of the Pay of the Levies and Militia, for their Services in the late War, and for other Purposes therein mentioned," passed 27th Day of April, 1784.

Treasurer to pay Wm. Roe, 20l.

VI. *And be it further enacted by the Authority aforesaid*, That it shall be lawful for the Treasurer of this State, to pay William Roe, out of any unappropriated Monies in his Hands, the Sum of Twenty Pounds, in Consideration of Services rendered by him to the United States, in the Course of the late War, and charge the same to the Account of the United States.

VII. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for the Collector of the Customs at New-York, and he is hereby authorised and required to remit the Duties accrued on Merchandize consigned to Samuel Franklin and Co. and to be by them forwarded to New-Port, in the State of Rhode-Island, and were exported by them accordingly, and for Payment whereof they have given Bonds to the said Collector, the said Samuel Franklin and Co. first producing to the said Collector proper Certificates of the said Merchandize, having been duly landed, reported and entered at the Custom-House at New-Port aforesaid.

Collector of N. York, to remit certain Duties on Merchandize consigned to Franklin & Co.

VIII. *And be it further enacted by the Authority aforesaid,* That it shall be lawful for the Treasurer of this State to pay the Pensions of John Rice, David Wendell and Gerardus Moke, disabled Soldiers, Inhabitants of this State, on their producing to him their Discharges, as required by the Act making further Provision for Persons who have, or may become disabled while in the Service of the United States, passed 18th March, 1782; any Thing in the said Act to the contrary notwithstanding.

Treasurer to pay Pensions to certain disabled Soldiers.

IX. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for the Auditor of this State to audit the Account of Ephraim Vrooman, a Lieutenant in Col. Peter Vrooman's Regiment of Militia for his Pay, while in actual Service, or in Captivity; and the Treasurer of this State is hereby authorised and directed to pay to the said Ephraim Vrooman Twenty Pounds in Specie, in Part of such Account, and grant Certificates in like Manner as has been given to the Militia of this State, for the Residue of the Amount of such Account.

How Lieut. Vrooman's Account to be audited & paid.

X. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for the Commissioners of forfeited Estates, in the Western District, to set apart for the Use of a School, the House and Lot of Ground in Johnstown, commonly known by the Name of the Freeschool-House, if not already disposed of, consisting of half an Acre of Ground, any Thing in the Act for the speedy Sale of confiscated and forfeited Estates, within this State, and for other Purposes therein mentioned, passed 12th May, 1784, to the Contrary in any-wise notwithstanding.

Commissrs. of Forfeitures for Western District, to set apart a certain House and Lot of Ground, for a School.

XI. *And be it further enacted by the Authority aforesaid,* That it shall be lawful for the Auditor and Treasurer of this State, and they are hereby directed to audit and settle the Accounts of Major-General Mc. Dougall, Brigadier-General James Clinton, and such of their respective Suits as are Inhabitants of this State, of John Gano, Chaplain, and of the late Troops of this State, in the Service of the United States, for the Months of August, September, October, November and December, in the Year 1780; and the Treasurer is hereby directed to pay to Michael Conolly out of any Money unappropriated in his Hands the Sum of Five Thousand Pounds, on Account, and to be by him applied to the Payment of the said Major General Mc. Dougall, Brigadier-General James Clinton, and such of their Suits as aforesaid, the said John Gano, and of the said Troops for the Months aforesaid, in equal Proportions, according to the Sums due to them respectively.

Major General Mc. Dougall and others, to have their Accounts audited and settled, for certain Months,

And Treasurer to advance Michael Conolly, 5000l. to pay the same.

XII. *And be it further enacted by the Authority aforesaid,* That it shall be lawful for the Treasurer of the State to pay to Margaret Ricker, the one Half of the Amount of a Certificate given to her for her late Husband's Depreciation of Pay, and indorse the same on the said Certificate.

And to Margaret Ricker, half her late Husband's Depreciation.

XIII. *And be it further enacted by the Authority aforesaid,* That it shall be lawful for the said Treasurer, to pay unto Cornelius Jansen, jun. for transporting the Records of this State, from Kingston to Poughkeepsie; the Sum of Eight Pounds.

C. Jansen, jun. 8l.

XIV. *And be it further enacted by the Authority aforesaid,* That the said Treasurer be, and he is hereby authorised and required to pay the Principal and Interest of all such Monies, as have been taken on Loan by his Excellency the Governor, in Pursuance of any Laws of this State heretofore passed to such Persons respectively, who have loaned the same, out of any Monies which may hereafter come into the Treasury, by Virtue of the Act, entitled, "An Act for raising One Hundred Thousand Pounds, within the Counties therein mentioned," passed 6th May, 1784.

Treasurer to pay all Monies taken on Loan by the Gov. in pursuance of any Law of the State.

XV. *And be it further enacted by the Authority aforesaid,* That the said Treasurer pay to Hannah Nicoll, Executrix of John Nicoll, deceased, out of any Monies in the Treasury unappropriated, Four Pounds Twelve Shillings, in full, for divers small Quantities of Wheat, delivered by the said John Nicoll in his Life-time, to the Wives and Children of several Persons, then serving in the Line of Troops of this State, in the Service of the United States.

To Hannah Nicoll 4l. 12s.

XVI. *And be it further enacted by the Authority aforesaid,* That it shall be lawful for Daniel Graham, Esquire, Commissioner of Forfeitures for the Middle District of this State, and he is hereby directed to convey to Cornelius T. Jansen, late a Captain in the first New York Regiment, all the Estate which George Folliot, who was attainted by a Law of this State, had, in a Farm, situate in Amenia Precinct, in the County of Dutchess, located by the said Cornelius T. Jansen, and appraised to him, for the Sum at which it was so appraised.

Certain Farm in the Middle District to be conveyed to C. T. Jansen.

XVII.

Treasurer to deliver certain Plate to Mrs. Barclay.

XVII. *And be it further enacted by the Authority aforesaid,* That the said Treasurer is hereby authorised and required, to deliver unto Mary Barclay, the Widow of Henry Barclay, deceased, the Plate and other Property (belonging to her) which was deposited with him by the Commissioners of Sequestration, for the County of Ulster.

Certain Persons permitted to remain in the State, (prohibited by an Act) for a certain Time.

XVIII. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for the several Persons mentioned in the third Clause of the Act, entitled, "An Act to preserve the Freedom and Independence of this State, and for other Purposes therein mentioned, passed the 12th May, 1784, to remain and reside within this State, without any Molestation, until the End of the next Meeting of the Legislature, after the first Day of November next, or until the Legislature shall make further Provision in the Premises.

Governor to draw from Treasury 5500l. for Indian Affairs, & purchasing Lands.

XX. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for his Excellency the Governor, by Warrant under his Hand, to draw from the Treasury of this State any Sums of Money, not exceeding the Sum of Five Hundred Pounds, to negotiate Indian Affairs, within this State, and to be accounted for by the Commissioners for that Purpose appointed; and a further Sum not exceeding Five Thousand Pounds, to enable his Excellency and the Commissioners for Indian Affairs to purchase from the Oneidas and Tuscarorors, for the Use of the People of this State, a Tract of the Country which they now occupy, and (as this Legislature are informed) are willing to dispose of.

Such Lands not to be located till further order.

XX. *And be it further enacted by the Authority aforesaid,* That no Part of the Lands which may be so purchased, shall be granted or located, until the Legislature shall make further Provision respecting the same.

Preamble.

Whereas by the 30th Clause of the Act, entitled, "An Act imposing Duties on the Importation of certain Goods, Wares and Merchandize, passed 22d Day of March, 1784," it was enacted, that the Collector for the Port of New-York, should be entitled to receive and deduct out of the Money which should come into his Hands, in Pursuance of the said Act, a Salary at and after the Rate of £. 1200 per Annum, as a full Reward and Compensation for his Services, and for House and Office Rent, Clerk Hire, Fire-Wood, Messengers or Servants to attend the Office, Stationary, and all other contingent Expences whatever. *And whereas* the said Salary for the Time past appears to the Legislature to have been insufficient.

Collector's Salary increased to 1400l.

XXI. *Be it therefore enacted by the Authority aforesaid,* That the said Salary of £. 1200, mentioned in the said Act, shall be, and is hereby increased to the Sum of One Thousand Four Hundred Pounds.

A Committee to assist the Auditor in settling Accounts.

XXII. *And be it further enacted by the Authority aforesaid,* That William Denning, Comfort Sands and Henry Remsen, Esquires, or any two of them, be, and are hereby appointed a Committee to advise and instruct the Auditor of the State, instead of Philip Schuyler, Abraham Yates, jun. and John Lansing, jun. Esquires, who, from the Places of their Residence cannot conveniently instruct the said Auditor in all Cases where he finds himself incompetent to the Liquidation of Accounts without such Aid and Instructions.

Treasurer to pay Samuel Loudon 300l. on Account.

XXIII. *And be it further enacted by the Authority aforesaid,* That it shall be lawful for the said Treasurer, and he is hereby directed to pay Samuel Loudon the Sum of Three Hundred Pounds, to be accounted for by him, on a Settlement of his Accounts with the State. To Ezra L'Hommedieu, Fifteen Pounds Eleven Shillings and Four-pence, being the Ballance due him for his Services in attending the Legislature in the Year 1782, to be charged to Udny Hay (his Order as State Agent of the 14th April, 1782, on Col. Abraham Brinckerhoff, for the said Sum being unpaid) And to Teunis T. Van Veghten, or his Order, the Sum of Thirty Pounds, agreeable to his Account for his Services and Monies expended by him in procuring Wheat on a Subscription by fundry Members of the Legislature, in the Year 1781, for the Use of the Troops in Albany, and charge the Amount thereof to the Account of the United States.

To Ezra L'Hommedieu, 15l. 11s. 4.

Teunis Van Veghten, 30l.

To Capt. Collins, 117l. 19s. 1.

XXIV. *And be it further enacted by the Authority aforesaid,* That the Treasurer of this State, be, and he is hereby authorised and directed to pay out of any Monies in the Treasury unappropriated, to Captain Tyrannus Collins, the Sum of One Hundred and Seventeen Pounds Nine Shillings and One Penny, to enable him to discharge his Debts contracted while he was a Prisoner in Canada, to be endorsed on the Certificate which he has received from the Treasurer for his Pay.

Preamble.

And whereas it appears to this Legislature, that George Fisher, of the City of New-York, through his Activity and public Spiritedness, detected a Combination for counterfeiting the Notes of the Superintendent of Finance and Treasurer of the United States, the Bills of Credit of the said United States, and of this and several other States, and caused the counterfeit Types, and a large Sum of counterfeit Money to be seized, and the Offender to be arrested, while the British Garrison were yet in Possession of the City of New-York; and that the Conduct of the said George Fisher was highly laudable.

XXV.

XXV. *Be it therefore enacted by the Authority aforesaid,* That it shall and may be lawful for the Treasurer of this State, and he is hereby authorized and directed to pay to the said George Fisher, the Sum of Forty Pounds, being so much expended by him in executing the said Business.

Treasurer to pay Geo. Fisher 40l.

XXVI. *And be it further enacted by the Authority aforesaid,* That the several Persons who have been Commissioners of Sequestration, in the several Counties in this State, who have not already done it, shall exhibit and file in the Office of the Auditor of this State, an Account on Oath, according to the best of their Knowledge, of the personal Estate by them seized or sold, by Virtue of any Law of this State, and of the Monies by them received in Consequence of such Sales, or of any Houses, Lands, or Tenements by them leased on Rent, and pay such Monies into the Treasury of this State, after deducting such Expences and Fees, as are by Law allowed for their Services, on or before the first Day of June next, and that every such Commissioner neglecting or refusing so to do, shall forfeit and pay to the People of this State the penal Sum of Five Hundred Pounds, besides Costs, to be recovered in the Name of the Treasurer of this State, whose Duty it is hereby declared to be to prosecute for the same; and the Auditor of this State is hereby directed to publish this Clause, in one of the Newspapers printed in the Cities of New-York and Albany respectively, for four Weeks successively, within Three Months from the passing of this Act. *Provided nevertheless,* and be it further enacted by the Authority aforesaid, That it shall not be lawful for any Person or Persons to sue or prosecute the said Commissioners of Sequestration, or any of them, for any Act or Acts which they, or any of them have done in or about the Execution of the Trust reposed in them.

How Commissioners of Sequestration to deliver their Accounts to the Auditor, &c.

On Neglect, subject to a Penalty.

Auditor to publish this Clause in the Newspapers.



C H A P. XVIII.

An Act to enable the Clerks of the respective Cities and Counties within this State, to cancel the Records of certain Mortgages, made and executed to Persons whose Estates are forfeited, on Proof that such Mortgages are satisfied. Passed November, 1784.

WHEREAS it is represented to the Legislature, that certain Mortgages to Persons, whose real and personal Estates are forfeited, and vested in the People of this State, are registered in the Office of the Clerks of several of the Cities and Counties within this State, pursuant to an Act of the late Colony, entitled, "An Act for preventing Frauds by Mortgages, which shall be made and executed after the first Day of June, in the Year One Thousand Seven Hundred and Fifty-four," passed the 12th Day of December, 1753, and that in many Cases, the original Mortgages remain in the Hands or Power of the Mortgagees.

Preamble.

And whereas it is required by the said Act, that the Certificate thereby prescribed to enable the respective Clerks to discharge the Entry of Mortgages, shall be signed only by the Mortgagee, his, or her Executors, Administrators or Assigns; and by Reason thereof, Mortgages so as aforesaid, vested in the People of this State, although they should be fully redeemed and paid off, could not be cancelled, but must remain an Incumbrance to the great Discouragement of Purchasers, and the Detriment of the Public: For Remedy whereof,

I. *Be it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same,* That where any Person or Persons, entitled to the Equity of Redemption of Lands, Tenements or Hereditaments, vested in Manner aforesaid in the People of this State, shall be desirous to redeem and discharge the Incumbrances thereon, or who have redeemed and discharged the Incumbrances on such Lands, Tenements or Hereditaments, since the twelfth Day of May, One Thousand Seven Hundred and Eighty-four, it shall and may be lawful, to and for all and every such Person or Persons, to apply to any one of the Judges having Authority to take Proofs and Acknowledgements of the due Execution of Mortgages, in the City or County wherein the same Lands, Tenements, or Hereditaments may be situated, and to produce to such Judge, the Evidence respecting such Mortgage, and the Payments made thereon. And if the Judge, on satisfactory Testimony, shall be able to ascertain the Balance in arrear on such Mortgage, he shall, after due Examination, certify under his Hand and Seal to the Treasurer of the State, and to the Clerk of the City or County in whose Office the Mortgage may be registered, the Balance which shall so appear to him to be justly due thereon; and upon producing such Certificate to the Treasurer and tender in the Manner which the Law directs of such Balance; the Treasurer shall and he is hereby authorized and directed, to receive the same, and to sign a Certificate of such Receipt, which Certificate, being acknowledged by him or

Persons entitled to the Equity of Redemption of Lands vested in the People, to prove to some Judge the Payment made on the Mortgage.

Who shall certify the Balance in Arrear, to the Treasurer.

And when paid, to be certified by him.

proved

Which being filed with the Clerk of the County, and a Minute thereof made in the Book of Mortgages, shall operate as a Bar to every such Mortgage.

Provido, where Incumbrances on such Lands have been discharged since 1st of May, 1784, the Treasurer's Certificate shall be sufficient.

proved by the Oath of one or more Witnesses, in the Manner directed by the said Act, with respect to the Certificate of the Mortgagee, or his Representative; and being filed with the Certificate of the Judge first mentioned, in the Office of the Clerk of the City or County where such Mortgage shall be registered, it shall and may be lawful, to and for the said Clerk, and he is hereby required to enter in the Book of Mortgages, a Minute of the said Certificates; which Minute so entered, shall operate as a full and absolute Bar to all and every such Mortgage and Mortgages to all Intents and Purposes whatsoever.

Provided, That with respect to such Persons who have redeemed or discharged the said Incumbrances, on such Lands, Tenements or Hereditaments since the twelfth Day of May One Thousand Seven Hundred and Eighty-four, it shall only be necessary for the said Persons respectively, to produce the Certificate of Discharge given by the Treasurer on Payment, and upon Proof of the same in Manner aforesaid, it shall be lawful for the said Clerks, and they are hereby respectively required to enter in the Book of Mortgages a Minute of the said Certificates respectively, which shall operate as a Discharge in like Manner as aforesaid.

The End of the First Meeting of the Eighth Session.

Act,
g filed
e City
o and
a Mi-
abfo-
rposes

ed the
n Day
for the
afurer
or the
tgages
n like